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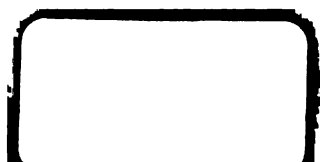
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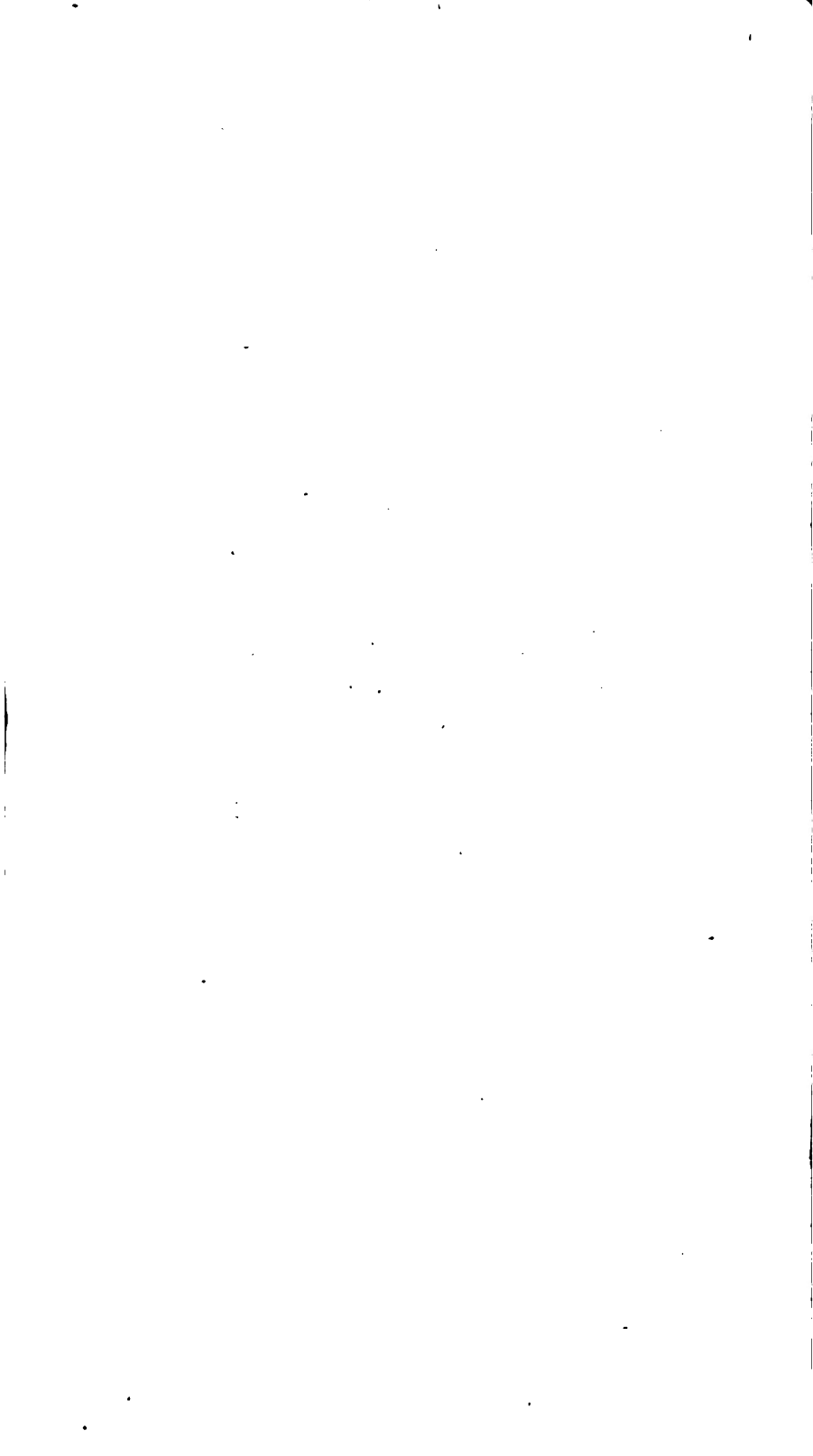
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AND

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PREFACE.

AGREEMENT in language, community of privileges, and a similarity in general habits, form the basis of the virtue called patriotism, or the love of our country; a virtue which grows with our growth, and ripens with our years. The same principles which generate the love of our country, give every man a peculiar interest in the place of his nativity, or in that where he has spent the chief part of his life. The former he recollects in connection with his boyish sports, and the gay and enchanting scenes of his youth, when his mind was free from care, and the illusions of fancy added charms to every object, and converted the world into a paradise; the latter is impressed on his heart by the toils he has endured, the friendships he has formed, and most probably by those tender sympathies and emotions which he feels as a husband and a father. The same principles which attach us to a particular place, lead us to enquire into its origin, and into the events which have occurred respecting it; and by connecting the idea of the place with the events, and disregarding the time, we feel as if personally interested.

Topography is founded on the above mentioned principles; and while it gratifies a natural desire, it often illustrates and improves general History. Every particular town, is a part of a general whole; an unit of the aggregate number of which a kingdom consists. To describe each separately, and to state with precision the most interesting occurrences, must tend to render general History more minute and more faithful.

The work now presented to the public, originated in the wish of a respectable friend, **RICHARD HEPWORTH, Esq.** who had made a collection of such materials towards it as he had met with in the course of his reading. These he offered to the Author, and generously promised any assistance which it was in his power to afford; and during the progress of this work, he has faithfully adhered to his engagement. On perusing these materials, the Author found that much was yet to be done—that beside the task of arranging, diligent research was necessary in order to explain and illustrate various facts which were only noticed en passant by our Historians. He availed himself of all the sources of information within his reach; and in the course of his researches, he met with materials far beyond what he had expected.

The most valuable communication the Author received from the **Rev. F. Drake, Lecturer, of Pontefract.** This was the MS. journal of the siege wrote at the time by his ancestor, **Captain Drake,** and which had been carefully preserved in the family. By the aid of this valuable MS. the history of the siege is more particular and interesting than it could possibly otherwise have been.

The notes, containing some account of the families of several distinguished persons in the castle, and of some in the army of the Parliament, have been derived from **Wilson's MS. Pedigrees,** in the Leeds library, compared with another valuable copy in the possession of the **Rt. Hon. J. Smyth, Heath, near Wakefield.** Both these MS. are copies from one in the possession of the late **Dr. Richardson, of Bierly, near Bradford,** collected by **Mr. Hopkinson, the friend of Dugdale,** from the records in **Pontefract Castle,** previous to its demolition.

The Author has to acknowledge his obligations to **J. Milnes, Esq.** for the accurate pedigree of the

Pool family, and some other communications. W. H. Beaumont, Esq. of Whitley, has honoured the Author with some documents respecting his family; and as a gentleman and a scholar, he has discovered a readiness to impart information from the valuable collection of ancient documents in his possession, which leads the Author to regret, that he had not the happiness of becoming acquainted with him, previous to the commencement of his work. From a letter of Sir Thomas Beaumont, it appears, that the note, page 215, explaining the term Snaphances, is not correct as applied to that period, whatever it may be as now used among the military. Sir Thomas, in a letter dated from Pontefract, June 7, 1643, answers one he had received—"for the Match you write for, I shall shortly send you some; but I put you in mind once more, to use your *Snaphance Pieces to keep centery with, as that will save our Match.*" This decides the sense of the term as then understood.

The note in page 284, respecting Lady Saville, copied from Kimber's Baronetage, is a misrepresentation. Sir Thomas Beaumont was the governor of the castle, and in the articles of rendition, there is one, which respects the safe return of Lady Saville, to Thornhill.

Some persons will probably conceive that this work is too much connected with the general history of the country. In reply, it may be observed that every local history must be less or more so; and as such a work will fall into the hands of many, whose situation and circumstances preclude access to works on general history, it was judged advisable to relate the causes of those events which more properly belonged to the history of the place.

The history of the priory and religious orders might have been rendered more minute, had the

Author had the opportunity of searching the valuable stores of the Bodleian Library. He found, that his materials were as ample as his plan and proposals would admit; and he was under the necessity of leaving this to some future historian, that he might give an account of the churches, charities, &c. within the Borough.

On the whole, the Author commits this work to the public, sensible that further attention and research might have rendered it more perfect. He has had the double task of collecting his materials, and of immediately arranging them for the press. Hence he has rarely had an opportunity of attending to his language, and of giving to it, that polish and grace, which would have enlivened the subject, and rendered the whole more pleasing and interesting. He hopes this will disarm criticism of her severity, and excite her to practice the virtue of forbearance, where she cannot smile with approbation.

P. S. Since the history of the siege was printed off, the life of Sir H. Slingsby has been published, in Scotland. In this work, some particulars respecting the castle, previous to the battle of Marston Moore, are noticed; and a Sir John Redman, is said to have been the governor. A hard fought battle is described, between the royalists and the parliamentarians, which began at Brotherton, and extended to Berkin. The royalists were victorious, but Sir J. Redman soon after died. Vid. the Work.

INTRODUCTION.

HISTORY it is generally admitted, is not less calculated to afford rational amusement, than to impart useful instruction. It collects the experience and wisdom of all ages; it records useful discoveries, and traces the progress of the arts; it notices the influence of civil institutions, in forming the character and regulating the manners and sentiments of a people; and combining the useful with the agreeable, it never fails to please.

A faithful delineation of the conduct and characters of distinguished individuals; a detail of those great events which have contributed in a considerable degree, to the greatness and happiness of a people, or to their misery and wretchedness, cannot be perused without interest. While reading an animated description of some rencounter, which is to decide the fate of nations, who does not feel the oscillations of hope and fear, while the battle hangs in suspense? While contemplating the character of those who have ennobled human nature by their distinguished virtues, who is not excited, at least for the moment, to imitation? Who does not wish in whatever situation placed, to dignify that situation by the exercise of appropriate virtues? It is not possible that all should command armies, and by their achievements obtain general renown;

but it is possible for each individual to obtain a sufficient portion of fame by a virtuous conduct in the station in which he is placed. The examples of excellence which history sets before us, in every science; in every profession and calling, must have a considerable, though it may be an imperceptible influence on our conduct and pursuits. These examples like the dew on the grass, cherish and invigorate every virtuous principle. They operate like the sun; nor, after ages have elapsed, is their influence spent.

Nor are examples of vice useless. Though on many occasions history portrays some of the worst of our species as prosperous, it tends on the whole to establish the maxim, "That the prosperity of the wicked shall destroy them." If it exhibit the character of a Pharoah or a Nero trampling for a season on the rights of men; and exulting in the misery their own crimes have created; it also shews their end;—that while one for his obduracy, cruelty and oppression, is made an example of divine vengeance; the other is driven from a throne on which he was unworthy to sit, and falls a just sacrifice to the hatred which his own vices had excited. After having erected a palace, covered with gold wrung from the people by oppression; and coolly observing, "that this was an habitation fit for a man to dwell in;" Nero was forced to fly to an homely cottage, and there slain.

As history shews vice on a throne thus punished; it also displays inferior examples equally wretched; and one would hope that such examples cannot but afford to mankind the most salutary admonitions. In a word, when virtuous characters excite our esteem, those of vice must excite our abhorrence,

and this abhorrence must become a motive to a more amiable and dignified deportment. Examples of vice act by a repellant, as those of virtue by an attractive influence; and unless a man is already decided in his character, and established in criminal habits, it may reasonably be expected, that such examples will, on the whole, be favourable to virtue.

The influence of civil institutions cannot be more clearly displayed than in topographical history. As this is confined to a particular district, it is necessarily more minute in its details, it marks every change in the institutions, the sentiments and manners of a people; it describes distinguished individual characters, and by being more particular, it becomes more influential and interesting. Every man is led to reflect that he inhabits the place where the most striking events have occurred; where the most noble examples of patriotism, valour and prudence, have been exhibited; and he is influenced to become equally patriotic, bold and daring, prudent and circumspect, with those who have been—but alas are no more!

Though this place has not been hitherto honored by a particular history, it is not owing to any want of authentic and interesting materials. Its antiquity, the singular events which have occurred; its connection with the general history of the kingdom, afford ample matter for the historian. To use the language of a late writer, this place is memorable for the residence of a proud Norman conqueror—for the tragical end of a beloved King—for the noble blood which flowed by the hand of the executioner; and for the unshaken loyalty here manifested in the defence of that unfortunate monarch Charles the first.







THE
HISTORY
OF
PONTEFRACT.

SECTION I.

*On the state of this place during the dominion of the
Romans.*

IT is difficult, not to say in many cases impossible, to trace with precision the original foundation and establishment of particular places. The lapse of so many ages, and the want of ancient records, are obstacles which no industry or research can surmount. Nor can it excite wonder that the origin of particular places should be unknown, when the subject is deliberately considered; but on the other hand, it is what may reasonably be expected. When objects *grand* or *novel* are beheld, they strike the imagination with an irresistible force, and the pleasurable emotions they excite, lead the mind to dwell on them, till they become indelibly impressed on the memory; but those which are *common* are seen and forgotten; the impression which they make fades away with the passing moment. While the majestic river, which fertilizes and enriches the country through which it winds its course, is beheld

with admiration, the spring from which it rises is unnoticed. In like manner the populous town or busy city contains objects which arouse the attention, and the various occurrences and events of such places, afford matter for the historian; while the farm house or the few cottages, from which such town or city arose, are beheld with indifference; and no one thinks of describing who built them, or by whom they are inhabited. As most places have originated from such small beginnings, years, if not ages, must have rolled away before they became sufficiently interesting to deserve notice; and on this account our inability to produce direct evidence of the time when, and the manner how this ancient town arose, is the less to be regretted. But though we cannot attain what is absolutely certain on this point, by the consideration of collateral circumstances, we may yet arrive at what is highly probable.

The state of Britain before the invasion of the Romans is but imperfectly understood. The enterprising spirit of the Phenician merchants of Tyre in the land of Judæa, had early pushed discovery beyond the pillars of Hercules; and to open new sources of wealth and trade, they had reached Britain. At this remote period, the Britons were not unacquainted with the treasures their country contained; and long before Cæsar visited them they knew how to extract the valuable metals of lead, tin, and copper from their ores. These articles they exchanged with the Phenicians for the merchandise of the east; and the Phenicians gave the name of Cassiterides*, to the British isles.

* Vid. BORLACE Ant. Cor. 29. p. Five or six centuries before the Christian era, they carried on this trafic. Herodotus, who flourished 440 years before Christ, calls the island from whence

Julius Cæsar about fifty-five years before the Christian era passed over from Gaul, and made a descent on Britian. The Britons not discouraged by the fame of his conquests, and the subjugation of their brethren the Gauls, made a brave resistance; and though compelled to give way to the disciplined legions of Rome, they obtained the praise due to their valour and courage from their enemies. The ambition of Cæsar was now directed against his own country; and having received hostages from the Britons, he departed, and they escaped the yoke prepared for them for near a century.

Cæsar, who amidst the toils of war and the various duties which his high rank imposed upon him, still found leisure for the cultivation of polite literature; and to his elegant Commentaries we are indebted for the best information respecting the laws, customs and manners of the Britons. From these we learn, that the island of Britain was peopled from the Continent; and that our ancestors spoke the same language, worshipped the same idols, and were governed by the same laws as the inhabitants of Gaul.

The kingdom was divided into a number of independent and separate states; one of the most considerable of which was that of the Brigantes, who inhabited this part of the country. Each state acknowledged one chief or king; but this chief or king was not absolute. He could neither make laws, nor engage in any matters of importance, without the advice and consent of the equites, or lead-

tin came Cassiterides, and confesses he knew not where it lay, *κασσιτερις* is the Chaldee name for tin, and it is probable it was so called by the Phenicians; as the Greeks cannot be supposed to have given a name to an island they did not know.

ing men, and the druids, or priests *. There appears only to have existed among the Britons these two orders, for the common people were in a state of vassalage †. Each of these equites enjoyed a certain district of land, where he resided with his retainers around him, who attended him in war, and in peace cultivated his ground, and supplied his table with its produce. These districts must have differed in extent, some being larger than others; and it has been supposed these divisions of land, were the foundation of our present parishes.

The houses of the Britons were of a round form, and covered with a convex roof; and houses of this form continued in the highlands of Scotland, where the remains of the old Britons still reside, within a few centuries ‡. They were made by driving stakes into the earth, and wailing them with oslers; and the roof was covered with branches of trees, and thatched. They had much the appearance of tents, and were so called by Dion and Zonaras §.

At the arrival of the Romans, the population of Britain was considerable. Bede informs us, there were twenty-eight cities, besides other fortified places ||. Tacitus expressly asserts, that the Brigantes were the most numerous, and formed the largest kingdom of any within the whole island ¶. This people whose capital was called Isurium, (now Aldborough, near Boroughbridge,) were justly ranked among the most warlike of the Britons.

* WHITAKER, Hist. Man, Vol. 1. p. 6.

† CÆSAR, *pene servorum loco*.

‡ BÆTIUS, Scot. Reg. Descrip. Fo. 4. 1575, Paris.

§ *castris, and tentis*.

|| Eccl. Hist. B. 1. C. 1.

¶ TAC. Agr. c. 17. Brigantes—*civitas numerosissima totius provincie*.

They had either peopled, or acquired, by conquest the whole of that territory now divided into the counties of Durham, York, Westmoreland, Cumberland, and Lancaster. In the Itineraries of Antonine and Richard, there are twenty-eight towns mentioned, whose names prove their British origin, subject to the Brigantes. According to Ninnius, *Dannum*, or *Dancaster* was then a town of importance *.

The towns or cities of the Britons were generally built in valleys, upon the margin of a stream or river, for the convenience of water and security from winds. They were not scenes of general and constant residence, but may be considered rather as places of refuge amid the dangers of war, where they might occasionally lodge their wives, children and cattle, and the weaker resist the stronger, till succours could arrive. Surrounded by impervious woods and secured by a rampart and fosse, they were sufficiently strong to resist the ordinary attacks of their enemies.

The Britons had a peculiar method of giving alarm and collecting their forces, on the invasion of an enemy. They raised a cry which was caught up, and transmitted from mouth to mouth through all the region, and as the notice passed along the warriors snatched their arms, and hurried away to the rendezvous. When *Cæsar* first invaded Britain the alarm was spread in this manner, in sixteen or seventeen hours, one hundred and sixty miles in a direct line † The partial remains of this custom

* *Ussæ Prim. Eccl. Brit.*

† *Ubi major atque illustrior incidit res, clamore per agros, regionisque significant; hinc ubi deinceps excipiunt, et proximis tradunt: ut tunc accidit: nam quæ oriente eole Genabi gesta*

still exist among us in the *hue and cry* which is raised after a thief who would escape justice.

After the invasion of Julius Cæsar, a more general intercourse was established between Britain and the continent, and Britain was considered as a field where the generals of Rome might obtain fame, and the empire receive an addition to its territory and wealth. At length they obtained a settlement in the country; and in the progress of their conquests reached the Brigantes; and, after numerous and hard-fought battles, reduced them under subjection. Unaccustomed to a tame submission our brave countrymen, soon raised the standard of revolt, and once more committed their cause to the decision of arms.

Though possessed of equal valour and courage with their enemies, the Britons were deficient in that steady discipline and order which they had acquired, and were at last compelled to submit to the Roman eagle. This revolt of the Brigantes and the triumph of the Romans over them, happened in the seventeenth consulate of Domitian, and about the eighteenth of the christian era. The fact is established by a leaden trophy dug up near Ripon, about the middle of the last century*.

Having conquered this part of Britain, they adopted the most prudent methods to keep the people in subjection; to check the spirit of revolt and to render their conquest useful and lasting. As they could not confide in Britons, they fixed

essent, ante primam confectam vigiliam in finibus Arvernorum audita sunt; quod spatium est millium passuum circiter 160. CÆSAR. Com. p. 135.

* The inscription of it is, TMP. CAES. DOMITIAN. AVG. VII. COS. BRIG. Phil. Tr. 687.

their camps, on the site of their towns or near to them, and a certain part of a legion was there stationed. The camps of the Romans which are supposed to have given origin to many of our towns and cities, appear rather to indicate some prior settlement of the Britons. In many instances this is certain, and in others the reason of the thing establishes it.

Within two miles of this place the vestiges of a Roman camp or station remained till within a late period, and the Itineraries furnish us with the name *Lagecium* or *Legedium*, now called Castleford. In the Bean-field, or Castle-garth, numbers of Roman coins have been dug up; a sure indication that the Romans once dwelt there. From this circumstance, and if the above remark be just, we may infer that previous to their arrival, the banks of the Aire and Calder were inhabited; the native Britons there depastured their cattle, while the surrounding woods supplied them with game for the chase, and with food for their tables. Nor is it improbable that the Britons fed their flocks and their herds in the valley where the old town of Pontefract stood.

The Romans stationed in this neighbourhood did not only check the ardent and restless spirit of the natives, but gradually introduced among them their own arts, and the comforts of civilization; and thus rendered their conquest equally beneficial to themselves and the vanquished Britons. The Roman soldiers were as much accustomed to the use of the plough as the shield, and were as industrious in peace as they were brave in war. When they had fixed their camps they availed themselves of the advantages the surrounding country presented, in

order to secure to themselves the necessary supplies. Woods were cut down, the ground cleared and plowed up; and roads were constructed from station to station, to facilitate the conveyance of goods, and collect their forces together with more ease and expedition, on any sudden emergency.

The great Roman road called Watling or Watling Street*, which divided England in length, and runs from the port Ritupæ, now Richborough in Kent [*usque ad lineam valli*] to the limit of the Roman wall, and beyond it, unquestionably passed either through or near to the town of Pontefract. It may be traced from Darum, or Doncaster, over Scawsby Leas to Barnsdale; and from thence to East Hardwick, and through Pontefract Park to Castleford. A second Roman road from Chesterfield, by way of Sheffield, Barnsley, Hemsworth and Aekworth, joined Watling Street, at Pontefract: as did also a third from Manchester, by Cambodanum, Wakefield, and the Street houses. A vicinal way appears to have passed through the site of the old town in a south direction to Darrington, Wentbridge, Smeaton, Campsall, and Hatfield; and northward to Castleford†.

From the circumstance of so many roads meeting at or near this place, Leland and Drake were induced to consider it as the ancient *Legationum*. Although much deference is due to the opinion of

* Whitaker and Hearne differ from most other writers respecting the name of this Roman road. They maintain that Watling Street led from Sandwich directly west into Wales: and that the true name of this street is Ikening, or Ikinild.

† The remembrance of this road is still preserved in the name of the closes called Street-furlong, which lies contiguous to it, near Darrington.

these celebrated antiquaries on subjects of this nature; they seem in this instance to have been mistaken, and the honour of that ancient station undoubtedly belongs to Castleford*. It is not however improbable, that a secondary and a subordinate station to that at *Legolium* was established here, as we find such secondary and subordinate stations usual in other places. These stations were placed at convenient distances for the protection of their cattle; and Whitaker mentions six of this kind in the vicinity of *Manouneensis*, or *Manchester*. Before the inclosure and cultivation of the Park, evident vestiges of a Roman camp remained on its ridge†.

The Roman custom of grazing in Italy was adopted in the remotest parts of their widely extended empire. The dry ground of the hills, and the moist meadows of the vale were successively the pasture of their flocks and herds. During the summer they confined them to the marshes and low grounds; and on the approach of winter they drove them up to the hills‡. According to this custom the

* The greater part of our antiquaries are of this opinion, and the distances in the fifth and sixth *Iter* of Antonine confirm it. In the fifth, the distance from *Danum* to *Legolium* is said to be sixteen miles; and from thence to *York* twenty-one. In the eighth, it is said, from *York* to *Legolium* is twenty-one, and from thence to *Doncaster* sixteen miles.

Besides the coins which have been in such numbers dug up, and are still occasionally found, there have been other monuments of Roman elegance discovered at Castleford. T. Wilson, F. R. S. in a manuscript letter to the author of the *Eboracum*, now in the possession of the writer, remarks that he had seen at Castleford several fragments of a fine tessellated pavement, which had been dug up in a garden adjoining to the Bean-field.

† In the letter mentioned in the last note, the writer, who seems to have examined the ground, gives it as his decided opinion, that a Roman camp had been formed on the Park ridge.

‡ *Victorius*, *lib. iii. c. 8. Animalium pascua.*

low and marshy land about Castleford would be deemed unsuitable for their cattle in winter, and the higher ground of this place would be preferred.

There have been some Roman coins found in this place, and there are still remaining in many old walls, bricks, which from their dimensions, thickness, colour, and texture, appear to be Roman. On the whole it is highly probable that this place derives its origin from a secondary Roman station, and although not equal in magnitude and importance with Legeolium, yet owing to its excellent pasture grounds, the salubrity of its air, its commanding prospects and beautiful scenery, it would be preferred by the more wealthy Romans as well as by the native Britons; it became to Legeolium what Baiæ was to Rome, the seat of elegance, pleasure, and refinement.

The provincial government of Rome, has been censured as severe and oppressive; and it must be acknowledged that in some instances the censure is just. A high territorial impost, a tax on the produce of land was rendered still more grievous and burdensome by the rapacity of the collectors of the revenue. These oppressions produced the revolt under Boadicea which proved so fatal to the Roman legions, and nearly subverted their dominion in Britain.

The towns were governed according to their rank. They were divided into four orders, towns municipal and stipendiary, colonies and cities invested with latin privileges. These last were like our present boroughs, enjoying the privilege of choosing their own magistrates, and not subject to a foreign prefect or questor. The stipendiary towns enjoyed no corporate privilege, and were subject to the provincial regimen, like our hamlets and

villages. Colonies were communities chiefly consisting of the veteran soldiers who had served out their legal time. Their government was partly by the civil, and partly by the military law. Every person in a colony was a soldier, and in cases of necessity the whole colony was called to take the field. A colony was established at York, and the chief officer of the government of the province, Flavia Cæsariensis, resided there. The municipia were citie senfranchised; where the natives were allowed the use of their own laws, and at the same time honoured with the privilege of Roman citizens.

The Britons were chiefly employed, during this period, in agriculture and in the usual manual occupations. Though numbers enlisted and filled the ranks of the legions, they were denied the advantages conferred on the veterans of Rome, and were subject to the disgraceful punishment of being beaten with rods, or scourged*; a punishment humiliating to a brave, and insupportable to an high-spirited people.

At length the Romans began to treat the natives with more respect, and to consider them as a component part of the empire. Anxious to preserve what they had acquired at the expence of so much blood, they endeavoured to unite the people into one body by the reciprocations of interest, and the participations of similar laws, privileges and immunities. In the reign of Antoninus Pius, these rights were conferred on every Briton of property and worth; and the cunning and artful Caracala extended them equally to all. By this wise act the Britons no longer suffered a disgraceful exclusion, but were admitted to a participation of marriages,

* Acts xvi. 37.

and a communion of honours with the Romans. They became eligible to every situation and office for which they were qualified; and to this wise policy Rome was indebted for some of her best commanders and emperors.

The Roman station at Legeolium, the subordinate one of this place, and the native inhabitants of the country, now became fellow citizens. The distinction which had hitherto existed between the conquerors and the conquered, was now happily abolished; and no other difference was known, but what arose from the inequality of property, interest, or the discharge of civil or military offices. Under the influence of just laws, wisely administered, population increased; and Britain could raise and send forth armies sufficiently powerful to obtain the empire of the world. From this province arose Constantine, called the Great; and supported by the British legions, he assumed the purple, and vanquished all his competitors*.

From the time the empire was divided into the eastern and western it began to decay. The incessant wars carried on with equal fury and rancour by the emperors of the east and west, as well as by the various competitors, exhausted its strength and resources, and rendered it a more easy prey

* At a subsequent period the British legions raised Maximus to the throne; and on his passing into Gaul, he took with him the flower of the British youth. The British forces remained with Victor, the son of Maximus, by a British lady; and on the defeat of Victor, were left in the most deplorable situation; in a distant country, surrounded with enemies; without a leader, or ships to convey them home. They pushed forward to the sea coast, then called *Armorica*, in hope of getting over into Cornwall, but were disappointed. They settled with the Belgæ on the coast, and gave their name to the province now called Brittany, in France. HENRY'S Hist. Vol. 1. p. 77.

to its enemies. The northern nations as if by general consent, issued forth and assailed it through the whole length of its frontiers; and though often repelled, they reiterated their attacks, till at length they obtained a final conquest. The Romans, unable to stand before their enemies on the Continent, withdrew their legions from Britain, four hundred and three years subsequent to their first settlement in the country.

From their possession of the country for so long a period, it is natural to infer, that their customs, laws, and arts, had become deeply rooted among the Britons; and that on their departure these would be observed, and continue to maintain their influence. It is not possible for a people in any degree civilized to relapse all at once into a state of barbarism; and it is probable the Britons would adhere to those institutions the Romans had established among them.

The Britons do not appear to have adopted their language. The higher ranks acquired it as an elegant and necessary accomplishment; but the lower orders continued to speak in their native dialect. Conquerors find it more difficult to change the language of a people, than their institutions and manners.

On the departure of the Romans from this place and neighbourhood, many of their buildings would be left uninhabited, and would soon become ruins: and subsequent events would obliterate the remembrance of those which had preceded. Few vestiges of the Roman name and greatness now remain; and had not the page of History outlived the works of art, it would have been impossible to have traced the existence of this once famous people either in this place or neighbourhood.

The Romans flattered themselves with the hope, that their government and dominions would be eternal. And if we consider the wisdom of their institutions; the propriety and equity of their laws; the elegance of their arts; their military achievements; their high spirit and invincible courage, such a hope may appear to be well founded; but when on the other hand we contemplate their vices, luxuries, and oppression, we see the falacy of their hope and the principal causes of their ruin. The same virtues which acquire dominion are requisite to preserve and keep it; and if a people cease to be virtuous, they will ultimately cease to command. While the rise, greatness, and duration, of the Roman state for so many ages, shew what the union of wisdom, justice and valour can accomplish; their final subversion and ruin shew also what must be the end of every state in which vice prevails over virtue.

Vain fluctuating state of human empire!
 First small and weak it scarcely rears its head,
 Scarce stretching out its helpless infant arms,
 Implores protection of its neighbour states,
 Who nurse it to their hurt. Anon it strives
 For pow'r and wealth, and spurns at opposition.
 Arriv'd to full maturity it grasps
 At all within its reach, o'erleaps all bounds,
 Robs, ravages and wastes the affrighted world.
 At length grown old, and swell'd to bulk enormous,
 The monster in its proper bowels feeds
 Pride, luxury, corruption, perfidy,
 Contention, fell diseases of a state,
 That prey upon her vitals. Of her weakness
 Some other rising pow'r advantage takes,
 (Unequal Match!) plies with repeated strokes
 Her infirm aged trunk: she nods—she totters—
 She falls—alas! never to rise again.
 The victor state upon her ruins rais'd,
 Runs the same shadowy round of fancy'd greatness,
 And meets the same certain end.

SECTION II.

On the Saxon period, and the introduction of Christianity.

THE name of this place in the time of the Saxons was Kirkby: a name evidently posterior to the introduction of christianity, and imposed on the erection of a christian church. A church is called kirk * in many parts of this country, and is invariably so denominated in Scotland. The term Bye, is Saxon for an habitation, and when joined with kirk, signifies the town or hamlet near to or around the church.

There is in this neighbourhood a South-Kirby, a place of considerable antiquity, as it is so called in Doomsday-book. It is not improbable that as this name was imposed for a similar reason, it was

* The term Kirk is derived from the Greek, (Κυριακος) denoting what belongs to the Lord; and has been applied to the building in which he is worshipped. The word translated church, in the New Testament, is (Εκκλησια) and in no instance denotes a building, but an assembly of people; and in the old versions of the Bible, it was always rendered congregation; a word which conveys the sense of the original much better than the technical term adopted by King James's translators; and it has this further advantage over the word church, that the bulk of the common people could not misunderstand it.

In the articles, the word church is defined to be, "an assembly of faithful men," but how few are there, who on using the word church, affix to it the same ideas as are contained in the definition. The popular has nearly obliterated the theological sense. Vid. Pearson in Cred.

called south, to distinguish it from this Kirkby which lay north of it,

The Saxons at their arrival in Britain were equally strangers to the doctrines and genuine spirit of christianity. The idols of their fathers were the objects of their profound veneration and regard; and their mythology while it displays the wildness of the untutored mind, strikingly delineates their habits and character. It seems wholly designed to inspire a contempt of death and a love of martial glory. By attaching disgrace and infamy to cowardice, both in the present and in a future world, it forcibly operated on all the energies of the mind, and contributed in a considerable degree to form their warlike character. The fear of disgrace prompted to deeds of the most daring valour.

This mythology equally flattered the hope and ambition of the brave. It held out to them the never fading laurels of fame; and the enjoyment of the spoil and wealth of their vanquished enemies. Amid the dangers of war and the carnage of battle, they were taught to believe, that though they should fall on the ensanguined plain, they should enjoy in the invisible state, "their airy hall," the luxury of drinking ale out of the skulls of those they had slain *.

* The mythology of the Saxons is interwoven with our language, and many of their wild notions are still entertained among the vulgar. From the objects of their worship, the days of our week have derived their names. The first and second, they dedicated to the Sun and Moon—Hence, Sun-day and Moon-day. The third and fourth, were dedicated to Tuisco and Woden, hence, Tuisco's-day and Woden's-day. The fifth, sixth and seventh, in like manner to Thor, Freas, and Seater; and hence, Thor's-day, Freas's-day, and Seater's-day.

Besides the above Gods and Goddesses, they had others of an inferior kind, to whom they paid respect. Such was Eostre, to

The influence of this mythology on the manners and conduct of our Saxon ancestors may easily be inferred. Strangers to the decencies and refinements of civilized life, they delighted in the turbulence of war and the effusion of blood. Unaccustomed to reason on the propriety or equity of any undertaking, and governed solely by interest, or impelled by caprice, they attacked all who opposed their designs. Like the corsairs of Barbary they infested for a century the northern seas; and whatever fell into their hands was deemed a lawful prize *. By their

whom they sacrificed in the month of April, which was from thence denominated Eostur monath; and on their conversion, the name was continued and applied to the resurrection. Another of their Gods was called Mara, supposed to terrify people in their sleep, whence comes the word *night-mare*. The doctrines of Elfs and Fairies is purely Saxon; and to these imaginary beings, they offered a peculiar kind of sacrifice called *Alf-blot*. Many still believe, that the green circles which are seen in meadows, have been the theatre of their midnight gambols; and that an exudation from a particular species of plant, is the butter they have made. Vid. Brands. pop. Ant.

* *TACITUS* observes, that they accounted it more honourable to take the necessities of life from others, than by honest industry to provide them for themselves. Their laws and customs had all a tendency to inspire courage, and form them for warriors. No man could bear arms till he was solemnly admitted to the privilege in a general assembly.

A man was not suffered to cut his beard, till he had slain his enemy, or taken his standard from him.

If any one quitted the field of battle without success, he was under a temporary disgrace.

If any left the field, where his general was slain, he was branded with perpetual infamy.

If a soldier lost his shield in battle, he was interdicted their sacred rites, on account of which many committed suicide.

For a man to die of disease or in bed, they held to be dishonourable, and believed that all such could be excluded from the joys of a future happy state.

piracies on the ocean and their plundering incursions on the land, they contributed their full share in the devastation and ruin of the western empire of Rome.

The Britons finally abandoned by the Romans, and much enfeebled by the loss of their brave youth who had enlisted into their legions, were not long suffered to enjoy peace and tranquility. The Caledonians who had been with difficulty restrained within the limits of the Highlands of Scotland, during the period of Roman power and greatness, now passed the wall of Severus, and ruin and devastation marked their progress. As their inroads were made more for the purpose of plunder than of permanent conquest, when they had obtained their object they retreated to their native wilds. Britain divided into thirty petty states*, and each state jealous of its neighbour, and only intent on its own interest could never bring its whole strength against its northern foes; and by being thus divided its misery and ruin advanced with the rapidity of a continually accelerated force.

After separate states had struggled with the hardy sons of the North for the space of forty years, at length a war-king was chosen as generalissimo of the united troops of Britain. Had this measure been adopted on the departure of the Romans, it is probable the Britons would have been able to repel the Caledonians, nor would the Saxons have been otherwise known than as enemies who had been defeated. This measure was now too late. The spirit of the country was broken, its strength exhausted, and nothing but defeat could be ex-

* Vid. TURNER'S Hist. of the Saxons, Vol. I. 133.—This elegant and ingenuous writer has accurately pointed out the form of government, which prevailed after the departure of the Romans.

pected. Necessity, not choice, impelled the British chief to invite the Saxons to repel the Caledonians; a measure which proved fatal to the interests and independence of Britain. The Saxons once admitted into the country had no wish to return. Allured by the fertile plains of the south, and the riches of the country, they turned their arms against the unhappy Britons, and began the conquest of the land. Though frequently checked and often defeated, yet receiving continual reinforcements from their own shores, they ultimately succeeded in their design, and Britain once more received the yoke of a foreign power.

During this unhappy contest the chief monuments of Roman elegance and greatness were laid in ruins; and a once cultivated country converted into a desert. "The Saxons destroyed every thing with fire and sword. Public as well as private buildings were consumed; the priests were slain whilst ministring at the altar; the bishops with their people were put to the sword; nor were there any left to perform for them the rights of sepulture. Many fled to the mountains for safety, and endured a precarious existence in poverty and want. Others emigrated, and sought peace and safety in foreign climes. Some submitted to their destiny, and were reduced to the most abject slavery *."

The kingdom of Northumberland was established the last in the Heptarchy; and from this circumstance we may infer that the Britons of our own country made a brave resistance. They contested every inch of ground with the enemy: and when repelled from Yorkshire, they obstinately defended

* Bed. lib. i. c. 19. Pro accipiendis alimentarium subsidii eternum subituri servitium.

themselves in Cumberland, Lancashire, and Cheshire; and a century elapsed before they were driven to the mountains of Wales. From these mountains they often issued forth, and by the slaughter and plunder of the Saxons, retorted on them the cruelties they had exercised. Here they maintained their independence, and have transmitted their name and language down to our own days.

The Saxons being established in the possession of Britain, attempts were made to impart to them the blessings of revelation, and to bring them within the pale of the christian church: nor were these attempts unsuccessful. Christian societies were certainly formed, and christian bishops are mentioned, anterior to the departure of the Romans*. The native Britons had embraced christianity, and when driven by the Saxons from the fertile parts of the country, they adhered to it among the mountains of Wales. The Saxons who inhabited Kent first received and professed the

* It has been maintained that Christianity was introduced into Britain in the time of the Apostles. Claudia, the wife of Pudens, mentioned 2 Tim. iv. 21. is supposed to be a British lady, whom Martial celebrates for her beauty and virtues. Lib. iv. Ep. 13. If any of the Apostles did visit Britain, it was Paul. He was released from confinement at Rome in the year 58, and spent nine years in the western empire; and as he never returned to the east, it is not improbable that in this space he visited Spain, Gaul and Britain. He particularly aimed to preach the gospel, where no other had been; and considering his zeal, it cannot be supposed, but that he would labour in the west as he had done in the east, till his death under Nero, in the year 67. Whatever truth may be in this, it is certain, that Christianity prevailed in Britain under the Romans, as bishops attended at the council of Arles in the year 514. Also at the council of Nice in the year 324. The events, which followed the arrival of the Saxons, nearly obliterated the Christian name; and excepting a few monks at Bangor; and in Scotland, their churches and institutions were subverted.

gospel. The greater part obstinately adhered to idolatry, and for a considerable time christianity made very little progress.

The zeal and prudence of the christian missionaries by degrees succeeded in subverting idolatry, and in establishing the empire of truth. A happy combination of circumstances often pointed out the path of duty, and ensured success to their labours. The ignorance, superstition, passions, and vices of men, frequently afforded facilities for introducing the gospel, and became subservient to its establishment.

Christianity was introduced into the Northumbrian kingdom in the reign of Edwin. He had spent the early part of his life in adversity; and though an exile he found protection and favour from Eadbald king of Kent. He saw the beautiful Ethelburga, sister to the king. The accomplishments of her person and mind gained the heart of Edwin; and when he had obtained possession of the Northumbrian throne, by a decisive victory over Ethelfred, at Retford, he made her an offer of his hand. She was a christian, and he yet a professed idolater. Like a prudent and sensible woman, she would not renounce her faith for the splendor of a throne; nor would she become the consort of Edwin, unless she might be allowed the exercise of her own religion. Edwin submitted to this, and Ethelburga brought with her a christian bishop and christian attendants.

For some time the civil and military affairs of the state demanded and occupied the whole attention of Edwin. At length he began to examine the subject of religion; and no one can doubt the influence of Ethelburga in persuading the king to

embrace christianity *. A day was appointed when the subject was to be discussed; and Paulinus the bishop was to point out the evidences of christianity, whilst Coisi, Edwin's high priest, was to defend the idolatry of his fathers. Whether Coisi, perceiving the inclination of Edwin, made a virtue of necessity, or whether convinced by the arguments of Paulinus, he was the first to renounce idolatry. The king followed his example, and the nobles imitated the

* "It was a maxim of the Saxons, to undertake no business of importance without consulting their wives, to whose advice they paid the greatest regard". Not to have regarded the tender intreaties of Ethelburga, not to have been influenced by the advice she would not fail to give, would have been for Edwin to have renounced the gallantry and maxim of his ancestors. It is apparent from this maxim, that our ancestors, however unpolished, appreciated more justly the talents and character of the fair, than the soft luxurious sons of the East. These have denied them the possession of intellect, and depriving them of the rank and rights which they ought to enjoy in society, have subjected them to the humiliating condition of slaves; and as slaves they are bought and sold at the pleasure of a stern lord. Immured in an Harem, and never permitted to mingle in general society, they bloom unseen; they remain ignorant because they have no means of information; their conversation is insipid, and their manners unconciliating, because they have never had an opportunity of polishing the latter, nor of acquiring the talent to render the former agreeable and interesting. A mind as vigorous as Newton's, as delicate and discriminating as Addison's, if placed in such circumstances, could never have developed its uncommon powers. How different the treatment the ladies have received from the hardy sons of the North. They perceived that though the fair wanted some of the bold features of their own characters, yet they were possessed of others equally useful and amiable—that their caution and timidity were well calculated to repress rashness and precipitancy—that their sensibility and feeling were adapted to soften and humanize—and in a word, that their affection and fidelity; their vivacity and cheerfulness rendered them the most agreeable companions in life; entitled them to share in the rights of domestic government, and to be consulted on matters of the greatest importance.

king. A wood church was erected at York immediately after; and the king and the nobles were all baptized together.

The influence of Edwins example and that of the nobles, appeared in the almost general conversion of the lower orders *. The idols and their temples were destroyed, and so great were the crowds who came to be baptized, that Paulinus was fully employed in this pious work. Destitute of modern conveniences, he was under the necessity of resorting to the primitive practice, and baptized them in the rivers Gleni and Swale.

Edwin's reign is the brightest period in the annals of the Saxon Heptarchy. He was acknowledged as the head, and for a period of seventeen years the whole of England enjoyed a profound peace. William of Malmsbury gives him this high character: "Not only, says he, the English, Scots, and Picts, but even the Orcades, and all the British islands, dreaded his arms and adored his grandeur: no public thief nor house-breaker was found in his time; the adulterer was a stranger, and the spoiler of other men's goods afar off: his glory shines even to our own age with splendor."

In this manner was christianity introduced into this county; and it is evident from Bede, that in the time of Paulinus, between the year 620 and 630, wood churches were erected in several towns, and some in this neighbourhood. One of this description he mentions in the royal villa of Campo-dono. Whitaker maintains that the Campo-dono of Bede is the same as the Cambodunum of Antonine; and

* Every intelligent reader will make the inference that conversions of this kind, are nothing more than compliances with the will of superiors; and that the same cause would turn them again to idolatry.

was situated above Huddersfield, at a place now called Slack. Watson, in the first volume, *Archæologia*, contends that Doncaster is unquestionably the Campo-dono of Bede. This place is called Danum in the *Iter of Antonine*, as well as in the *Notitia*; and as in old authors the vowels *a* and *o* are used promiscuously, the difference in the orthography will not invalidate this opinion. As the river Trent often formed the boundary of the Northumbrian kingdom, it cannot be supposed, the Saxon kings would neglect this old Roman station; but it is natural to believe they would often reside there for the purpose of guarding their frontiers.

The term Campo is wholly inapplicable to the place Whitaker assigns; and it must be made a radical part of the appellative name to become in the least degree probable. But if used in reference to Danum it is proper, and explains the situation of the place.

It is generally allowed that Edwin was slain at Hatfield; and Bede represents the victorious army as advancing to Campo-dono; and setting fire to the church erected by Paulinus, consumed it to ashes together with the town; and that in consequence of this the kings of Northumberland removed to Loidis (Leeds). Bede remarks, that the altar of the church being of stone, and sustaining the violence of the flames uninjured, was preserved and then in the possession of the abbot and priest Trumwulsi, who resided in the wood of Elmet, now called Berwick*.

From the above facts, considering that the road from York to Doncaster lay through this

* BED. Thoresby considers Halton, near Leeds, as the place where the abbot Trumwulsi resided, and where the Altar Paulinus had erected at Danum, was preserved. *Duc. Leed.* 111. p.

see, it is not improbable that the first christian shop might preach here the first christian discourse. It is amusing to recall in imagination a primitive scene of this kind. A bishop, like the apostles, endeavouring to instruct, enlighten, and reform a gross, an idolatrous people; this people gazed at what they heard, but unable to comprehend it—some awed into reverence by the venerable character of the priest—some more rude indulging a smile of contempt—some deliberating, reasoning, and wishing to hear him again on such important topics!

Edwin being slain, Paulinus and Ethelburga fled into Kent; and the christian churches were destroyed. The short space of time Paulinus had been permitted to labour, will warrant the conclusion that little progress had been made in evangelizing the country in his day. Though uncommonly zealous and active, a period of a few years is too short to accomplish such a task; and on his departure the people reverted again to the worship of idols.

Cadwallo, the king of the Welsh Britons, who had vanquished and slain Edwin, was equally successful against Osric and Eanfrid. He plundered the kingdom and kept it in subjection for some years. At length Oswald, who in the preceding reign had fled into Scotland, commiserating the unhappy condition of his country raised a small, but valiant army; marched into Northumberland, met Cadwallo, and slew him and the greatest part of his army. By this decisive victory Oswald was firmly established on the Northumbrian throne.

Oswald in his exile had sincerely embraced christianity, and his first concern was to introduce and establish it. He sent into Scotland, and re-

requested the king to find some person, well qualified for the discharge of the duties of a missionary and bishop. The king, in answer to his request, sent Aidan, a person no less venerable for his virtues than respectable for his learning, Aidan founded the see of Landisfarne, which was afterwards removed to Durham; and by his indefatigable labours, aided by the good sense, piety, and munificence of Oswald, christianity was firmly established, and maintained its influence amid all the wars and revolutions which succeeded.

The reign of Oswald was short, but active and glorious. That precedence which Edwin had acquired, among the kings of the heptarchy, Oswald maintained. But neither his piety, wisdom, nor valour could secure, in these turbulent times, tranquillity and peace. Penda, the pagan king of Mercia, envied his greatness and detested his religion. Not daring to meet Oswald fairly on the field of battle, he endeavoured to accomplish by stratagem and surprise, the iniquitous design he had formed. Oswald had made a progress into Cheshire, attended by few besides his domestic servants, and did not in the least expect any hostile attempts. This security betrayed him. For Penda having secretly raised an army, pushed after him, and finding him unprepared, fiercely assaulted him. Oswald and those with him bravely defended themselves; but at length the most determined valour was forced to yield to superiority of numbers. Oswald was slain, and his treacherous and barbarous enemy had the meanness to treat the corpse with every kind of insult. The christians on account of his virtues canonized him; and the fifth of August is still honoured as the day of his martyrdom in the Roman martyrology.

The respect and veneration paid to St. Oswald, in this place and neighbourhood, entitles him to particular notice. A cross was erected here to his memory and virtues, at a very early period; probably not long after his death. This cross gave name to the division, Hundred or Weapontake, now corrupted into Osgoldcross *. It was

* This division of land was called the Hundred, as it consisted of ten tythings, and each tything consisted of ten freeholders; so that the Hundred contained a hundred freeholders together with their families, and persons in a servile condition. To this district belonged a court, called the Court of the Hundred; and a chief Magistrate, called the Hundredary. It belonged to him to call the court, to preside in it, and put its sentence in execution. All the freeholders attended in arms, according to the manner of their German ancestors; and as it was the custom to touch the spear of the Hundredary with theirs, in token of submission, it was denominated Weapontake from the Saxon, *tac*, to touch.

The Weapontake of Oswald, or Osgoldcross is divided into the Upper and Lower Division, and consists of the following Townships and Parishes.

OSGOLDCROSS, UPPER DIVISION.

TOWNSHIPS.

Ackworth,
Badsworth,
Thorp Audlin,
Upton,
Bramwith,
Burghwallis,
Campsall,
Norton,
Fenwick,
Moss,
Sutton and Askorn,
Castleford,
Houghton,
Darrington,
Stapleton,
Featherston,
Purston Jaglin,
Water-Fryston,
Part of Ferrybridge,
Kirkmeaton,

PARISHES.

Ackworth.
} Badsworth.
} Bramwith.
} Burghwallis.
} Campsall.
} Castleford.
} Darrington.
} Featherston.
} Ferry-Fryston, or rather Water-
} Fryston.
Kirkmeaton.

equally corrupted at the time of the general survey, in the reign of William the conqueror; and is called

Pontefract,	}	Pontefract.
Tanshelf,		
Carleton,		
East Hardwick,		
Knottingley,		
Part of Ferrybridge,	}	Owston.
Owston,		
Carcroft Hamlet,	}	Skelbrooke.
Skellow,		
Skelbrook,	}	South Kirkby,
South Kirkby,		
South Elmsall,		
North Elmsall,	}	Wragby.
West Hardwick,		
Hassle,		

LOWER DIVISION.

Armine,	}	Snaith:
Hooke,		
* Goole,		
Rawcliffe,		
Cowick,		
Snaith,		
Gowdall,		
Heck,		
Hensall,		
Pollington,		
Balne,	}	Kellington.
Part of Whitley,		
Kellington,		
Beaghall,		
Egbrough,	}	Womersley:
Part of Whitley,		
Womersley,		
Cridling Stubs,	}	Adlingfleet.
Little Smeaton,		
Stubs Walden,		
* Adlingfleet,	}	Whitgift.
Fockerby,		
* Haldenly and Eastoft,		
* Whitgift,		
* Reedness,		
* Swinfleet,		
* Ouzefleet,		

N. B. * These are all in Marshland, on the South Side of the River that goes to Thorne and Doncaster.

in Doomsday-book Osgoodcross. If the name had been recently imposed, it would have been clearly and graphically expressed; and from this corruption of the name it may be inferred, that the cross had been long erected, and that both the object and occasion of it were then almost forgotten.

It is natural to suppose, that the place where this cross was erected, was then a place of some importance and consideration; at least, that it exceeded every other within the division. The erection of this cross at so early a period, will establish the fact, that the inhabitants of this Burgh had then embraced and professed christianity. And is it not probable from this circumstance, that Oswald had honoured the place by his royal presence? that he had conferred some particular privileges on its inhabitants? May not he be the person who built a church, and as a testimony of their gratitude, they thus honoured him?

It could not be earlier than the middle of the seventh, nor later than the eighth century, when the church was built, which gave the name of Kirkby to this town. Within this period lived the before mentioned Edwin and Oswald; and afterwards Ceolwolf and Egbert, who abdicated a throne to spend their last days in devotion among the monks. During this period christian churches were erected in most places of importance, through the Northumbrian kingdom; several monasteries were built and largely endowed, which supplied the churches with a succession of teachers: and it is probable that many of the parish churches may date their origin from about this period*. Had they not been now

* It is not meant, that the present buildings were erected, but that structures were raised for religious worship, on the decay of which, others have been built.

built, the turbulence of the succeeding times—the invasion of the Danes—the furious wars between them and the Saxons, would not admit of leisure for works of this kind.

Owing to the want of ancient documents, it is impossible to point out with certainty where the first christian church stood; or what was the form of the structure. It is however most probable that it occupied the site of the present church of All-Saints; and from the veneration paid to the cross, would be built in that form. The ground where it stood would be esteemed sacred; and when the wood church gave place to a more permanent structure of stone, its site would be preferred.

What was the precise extent of the parish at this period cannot now be ascertained. As churches were at first built only in towns and cities, parishes would be much more extensive than they now are; and it is not improbable that many of the contiguous parishes might then be included in that of Kirkby*.

* Theodore, Archbishop of Canterbury, obtained from the king royal licences, that he who built a church should enjoy the patronage of it; and it became common for every thane to build a church on his own land, for the use of his servants and tenants; and a law of Athelstan proves that no one could enjoy the dignity of thane without possessing a church. As there were inferior freeholders who were not able to erect churches on their estates; these gave their tythes, and attended at the church nearest to them; and as the thanesland constituted a township, over which he exercised civil jurisdiction, all the surrounding districts which brought their tythes to the same church formed a parish. As population increased, chapels of ease were erected, at this time called Oratories, where the common prayers only were read. The bishops often found it necessary to raise them into parish churches, and to grant them full parochial rights and privileges. In some instances, their dependence on the mother church was perpetuated by the payment of the dues, though they were permitted to administer all the sacraments.

During the period of the Saxon dominion, Britain was the theatre of long, bloody, and destructive wars. What from their contests with the Britons, their animosities among themselves, and lastly their fierce and desperate conflicts with the Danes, there were few intervals of peace. Yet amidst all this confusion christianity was introduced and established; and though its mild spirit, its benevolent precepts, and genuine principles, appeared during that period to produce little effect, it has gradually prevailed to soften, humanize, and polish this, as well as every other country, where it has been received. The idols of the pagans fell before it, for

Not Mars, the lord of wounds, who scatters round
The seeds of war, and fills the rancorous heart
With Gorgon poisons, can assist his fanes;
Nor Venus can avail, nor her vile boy.
The golden statues of Minerva fall,
Tho' fools proclaim her goddess of the arts;
Nor he for whom, as ancient fictions sing,
The leafy vines, their precious branches spread,
Can prop the columns nodding with their gods.
The marbles tremble with terrific crash,
And the vast fabric rushes into dust.
Ev'n Neptune rumour'd sovereign of the waves,
Who by his swelling billows rules the main,
He cannot save his sculptur'd effigies,
Whose marble brows the golden leaves surround.
Not ev'n Alcides who the centaurs crush'd,
And dar'd the fiery breath of prowling Cacus,
When from his throat his words in flames were pour'd,
Tho' his right hand the dreadful club may grasp,
Can shield his temples when the Christian prays.

SECTION III.

Inquiry into the Constitution and Privileges of this Burgh under the Saxons.

THAT this was a burgh in the time of Edward the Confessor is certain, from evidence the most decisive; but how long it enjoyed this privilege anterior to this period is uncertain *. If the population was such as to render it advisable to build a church in the seventh century, it may be presumed it would then be accounted a Burgh, and probably might be so accounted from the time the Saxons obtained possession of the place.

The term borough, in its original Saxon *borgh*, is said by Bracton to signify primarily a tything, or a company of ten families of freemen, who were bound or combined together as each others pledge; and hence a pledge is called *borh*. This territorial division has been ascribed to Alfred, but without any foundation, as it is noticed in the laws of Edgar. By his law it is thus enacted, "Every man shall find and have borh, and the borh shall produce him to every legal charge, and shall keep him, and if he have done wrong and escapes, his borh shall bear what he ought to have borne. But if it be theft, and the borh can bring him forward within twelve months, then what the borh paid shall be returned."

* Vid. Domesday-book, among the possessions of Ilbert de Lacy, under the manor of Tateshall.

From hence it may be inferred that the district and division of land which they possessed, who found borh, or were pledges for each others good and peaceable behaviour, formed the limits of their jurisdiction. Whatever might be the number of freemen who inhabited a burgh originally, or whatever their number by the increase of population, the limits of the jurisdiction of such burgh still remained. And it is not improbable that the ancient tythings were nearly of equal extent with our present townships, and the bounds of our present boroughs.

As castles and other fortifications were built for the defence of towns, the term burgh came to signify a fortified place. According to Verstegan, all places which had this name were one way or other fortified.

The land and houses within a burgh might belong to the king, or to some of the thanes, or bishops. In Canterbury Edward had fifty-one burgesses*; in Bath sixty-four; and ninety burgesses of other men are mentioned†. In Romenel twenty-five burgesses belonged to the archbishop‡?

On the authority of the Dodaworth manuscripts,

* Doomeaday, Fol. 2.

† Ibid 100.

‡ Ibid 67. "The burgesses and tradesmen, in great towns, had in the reign of Edward the Confessor, their patrons, under whose protection they traded and paid an acknowledgment therefore; or else, were in a more servile condition, as being, in *Dominio Regis vel aliorum*, altogether under the power of the king or other lords." Brady on burghs. This advocate for the prerogatives of the crown, and enemy to the representative branch of our excellent constitution, would lead his reader to believe, that burgesses were in no better state than the servile, but equally subject to the will of some lord. It is true, they were subject to the land proprietors, as renting houses or land belonging to them; but it does not appear from any authority he has produced, that they were in that degraded state, he has described, till oppressed by the conqueror.

Camden informs us that one Aske* was the first Saxon proprietor of this place; and that it descended by due succession to one Alric, from whom William the Conqueror took it. He had issue, Swayne, who had Adam Fitz Swayne, who had two daughters; one of whom married Gaufrede Neville, and the other Thomas Brough †.

Burghs were generally inhabited by tradesmen and mechanics. They enjoyed the exclusive privilege of fairs and markets: and the commerce of the nation centered in them. By this privilege they were distinguished from the villages, which were inhabited by ceorls and villani, or farmers and husbandmen.

Burgesses were not considered in this period as

Madox has proved, that the burghs of the king were only subject to a fee-farm rent; and as this was very moderate, they may be considered as the proprietors, and holding by burgage tenure, which Cooke considers as a species of free socage.

* The family of the Aske's, continued in this county till the time of Charles I. The seat of the family was at Aske, in the parish of Easby, in Richmondshire. One Wyhomere, bearing the arms of Aske, was a kinsman to Allen, first Earl of Britain, in the reign of the Conqueror, which Allen had the Earldom of Richmond, given him by the said William the Conqueror, and gave to this Wyhomere the manor of Aske. He married Annabell, daughter of Sir John Neville, of Hornby and Hooton, Knight, had issue, Conan, Werner, Warine, Roger, Hugh. The manor of Aske continued in this family, and a branch of it married the daughter and heiress of de la Haye, of Aughton, on the Derwent; by which marriage, they became Lords of Ellerton and Aughton, and patrons of Ellerton Abbey, near Howden.

† Stowe's An. p. 116. It is difficult to reconcile the above account of the Saxon proprietors, with the silence of doomsday-book. The manor of Tateshall is said to have belonged to the king in the time of Edward, and as the burgh of Kirkby is noticed in connection with Tateshall, without any Saxon proprietor being mentioned, it is natural to infer, that it equally belonged to the king. The king might indeed grant his right in the burgh, or

eminent either for their rank or property. A considerable part were such as by their good conduct, and the generosity of their Lords, had obtained their freedom. For among the Saxons slavery not only existed, but was acknowledged by the laws, and regularly organized into a system. In conveyances of land, slaves are mentioned with the stock, and disposed of in the same manner*. Many of the slaves were the remains of the conquered Britons; and others were such persons as had forfeited their freedom by their crimes†.

On the conversion of the Saxons, the mild influence of christianity was felt by this unhappy class of society. It became customary for the bishops and abbots to manumit the slaves attached to the property appropriated to them. Other persons, by being taught to consider acts of benevolence as a religious duty, imitated their example; and in their wills they frequently bequeathed the boon of freedom to their slaves‡.

what is now called the fee-farm rent, to the above family; which they might continue to enjoy without ever obtaining it as a freehold inheritance. In this case, though they would be considered as lords of Kirkby, in a popular sense, they would not be noticed in Domesday-book, as not being the proprietors.

* In an incumeration of property on an estate, it is said there were an hundred sheep, fifty-five swine, two men, and five yoked oxen. 3 GALE'S Scrip. 431.

A duke of Mercia, in a donation to a church, gave six men, with all their offspring and their family, that they may always belong to the said church in perpetual inheritance. HICKE'S Diss. Ep. p. 12.

† In the laws of Ina, it is enacted "that if a freeman work on a Sunday without his lord's orders, he shall lose his liberty, or pay sixty shillings. Lxv. Ina. 15.

‡ A landholder, in Edgar's time, in his will, directed that thirteen of his slaves should be liberated as the lot should decide. 3 GALE'S Scrip. 407.

Those who had thus obtained their freedom were called Frilazin. Some of them became agricultural labourers, and took land of the clergy and great, paying them an annual rent; but the chief part went and resided in the burghs, and became burgesses. In the burghs, during the Saxon period, every freeman, or freedman, who occupied a house, and paid his gafal, or rent, was a burgess. The theows, or such as had lost their freedom, and the hereditary slaves, as being the property of their masters, though they resided within the burgh, were not admitted to enjoy the rights and rank of burgesses.

Freedom deserves to be noticed as the *first privilege*, the burgesses of Kirkby enjoyed*. While the slave was doomed to toil for his lord, however severe and oppressive, the freeman could work for any employer he chose. This was a valuable right, as it secured to the freeman mild treatment. A slave for the most trifling fault might be whipped;

* The Editor cannot but lament, that in the enlightened period in which he lives, when the rights and duties of men are more clearly ascertained; when a sound philosophy has not only increased the circle of the sciences, but has enlightened the understanding and enlarged the social affections;—when Revelation is admitted as the test of truth and duty; when that maxim, "Whatever ye would, that men should do to you, do ye also to them," is admitted for its conciseness, simplicity, and propriety; slavery should still be encouraged. He hopes the day is not far distant, when a sense of duty will prevail over personal interest, and this reproach of our nation be for ever done away. Though hitherto, the efforts of a Wilberforce and other friends of humanity, have not been crowned with success; they have not laboured in vain. They have produced a spirit of enquiry; they have exposed the injustice of the slave-trade; they have laid a foundation for its abolition; and their names deserve, and will be handed down to posterity, with honour and respect.

but a freeman was exempt from this disgraceful punishment. If any person put a freeman into bonds, the law enjoined a fine of twenty shillings, a great sum in those days, and which demonstrates the high regard the Saxons had for liberty. If a freeman was accused of any crime, he was judged by his peers; while the master was both judge and jury over his slaves. How valuable was the privilege of being a burgess, when so many endured the galling yoke of vassalage.

Burgesses could acquire property and dispose of it according to their own pleasure. The avenue to wealth and honour was open before them; and this circumstance could not fail to impart energy to their exertions, which would in many cases be crowned with success. When the condition of a man is such as to preclude the hope of realizing property, and of bequeathing it to the objects of his regard, the noblest motive to industry is destroyed; and the mind sinks into an apathy respecting both present and future concerns. But burgesses and freemen could attain to the highest rank and dignity. By a law of Athelstan it is expressly declared, "that if a ceorl, or farmer, and of course any other freeman, have the full proprietorship of five hides of land, a church, and kitchen, a bell-house, a burgh-gate seat, and an appropriate office in the king's hall, he shall thenceforth be a thane by right. The same laws provide, that a thane may arrive at the dignity of an earl, and a merchant, who went three times over the sea with his own craft, might become a thane *." Though burgesses, as mechanics and tradesmen, did not rank high, yet, as freemen, who might aspire and attain to the

* WILK. Leg. Sax. 70, and 71.

honours of nobility, their condition was reputable. The houses or land which they held of the king or superior lord, they could sell or dispose of, reserving the rights of the king or the lord. They had the privilege to devise such houses or land by will, nor was the devisee, subject to any relief, or other feudal burden, but on the demise of the proprietor, entered into immediate possession of the property devised.

The tythings and burghs enjoyed the privilege of choosing their own *peace officers*, and governing themselves according to the laws of the land. All government is unquestionably derived from parental authority. A family is naturally governed by its parents, and its ramifications by the aged. The father, says Homer, is the legislator of his wife and children. Among most barbarous tribes the aged ancestors have prescribed rules of mutual behaviour, and have adjudged disputes. That our Saxon forefathers were governed in this manner is evident from the fact, that the words of their language which denote authority also express age*.

The government of the burgh was simple, but efficient. As all the burgesses choose the burgh-reve, so all the burgesses when met together formed the burgh-mote, or court in which causes were tried and determined†. Though the ealdermen would be respected for their age and experience, and their opinion would have considerable influence

* In the Saxon version of the Scrip. Gen. xlv. 8. which states, that Joseph was appointed ruler over Egypt, the words are "sette into *caldre* over Egypta land." Cæsar is called "*cyninga yldest*," the eldest king. Vid. Turner, Hist. Ang. Sax. Vol. IV. p. 10.

† On account of the circumstance of all the burgesses forming the burgh-mote, this court is often called the *folk-gemote*.

in the decision of the court, they do not appear to have had any legal authority above other burgesses.

Any burgess, during this period, might be chosen burgh-reve. The duty of this magistrate consisted in keeping the peace; in calling the court of the burgh-mote, and presiding in it; in putting the sentence of the court in execution; and in collecting the rents due to the king or lord.

The time for the meeting of the burgh-mote was fixed by the law, in the reign of Canute. This court was to be held at least three times every year. As all the burgesses together with the burgh-reve, formed the court, the manner of deciding causes was similar to what obtains in our present house of peers, where every peer sits in his own right on any judicial proceeding. The trial by a jury of *twelve* men did not generally obtain, but every freeman, if a burgess, was tried by the other burgesses his peers, whatever their number might be*. This mode of proceeding answered all the ends of substantial justice; and ultimately led to the grand assize, or trial by twelve honest and substantial men; the great palladium of British liberty.

Whether the burghs possessed any political importance, whether they were in *any way* represented,

* In the documents of the Anglo-Saxon period, which have come down to us, we find, that the principle of a man's being tried by his peers or equals was generally recognized and established. This appears in the laws of Wehtræd, "where the clergyman is to be acquitted by four of his equals, and the ceorlick by four of his own rank." Leg. Wiht. Wilk. p. 12. In case of plundering the dead, the law required the oath of forty-eight thanes to clear the accused. Leg. Inæ. Wilk. 27. These appear to be chosen from the shire-gemote, for the purpose of investigating the evidence of the fact, and whose verdict, like that of a modern jury was to be decisive.

in the Saxon witena-gemote, or parliament, it is not possible now decisively to ascertain. What were the qualifications of such as attended this assembly; whether they attended in virtue of their own right, or whether as the representatives of other land proprietors, are questions which cannot now be satisfactorily answered.

It has been supposed that the burgh-reve became the representative of the burgh in the gemote of the hundred, in the shire-gemote, and in the witena-gemote or Saxon parliament *.

As the burgesses enjoyed various privileges, so the imposts to which they were subject were definite and easy. In the king's expedition every five hides of land † appear to have furnished one man;

* ST. AMAND'S ESS. on the legislative authority. Among the persons who sign to an act of the witena-gemote, at Clofeshoe, in 824, is one who mentions the circumstance of his being chosen, "Ego Beonna *electus* consent. et subscrib." Astles MS. charters, No. 12.

† As hides of land, oxgangs, and knights fees, will frequently occur, it may be necessary to give, once for all, a general explanation of these terms.

A carucate of land, a plough-land, or a hide of land, is not of any certain content, but as much as a plough can by course of husbandry plough in a year, and may contain a messuage, wood, meadow, and pasture. The oxgang was invariably one eighth part of a carucate, whatever might be the number of acres contained therein.

In Domesday inquisition, the arable land is estimated in carucates, the pasture in hides, and the meadow in acres.—Skene makes the carucate the same as the hide of land. In a manuscript law book, written by Ambrose Cooper, Esq. a student in one of the Inns of court in the year 1579, it is laid down as a rule, that a hide of land consisted of a hundred and sixty acres, and was made up of the following parts:—ten acres make a ferundel or farding-deal, four ferundels a yard land, and four yard lands a hide, so four hides or six hundred and forty acres, made a knights fee. When a

and the burghs a number proportioned to their population. Domesday-book furnishes various instances of the number of men different burghs were to raise *. From the state of population in respect to other place, the burgh of Kirkby would not have above one man to raise and support; a very moderate war-tax, if compared with that of the present times; and particularly so, when it is considered that this was the only tax the people had to pay!

knights fee was taxed at forty shillings, a yard land paid two shillings and sixpence, and so in proportion, so that six hundred and forty acres of land made one great knights fee, which paid for a relief one hundred shillings. BLOUNT. A. T.

Yet, notwithstanding the above account, the learned Selden asserts, that the quantity was doubtless uncertain. He agrees in the above general description of it, and his observation is certainly very just, that it must of necessity vary according to the nature of the soil, and custom of husbandry in every county. He also cites a record, which shews that it had been uncertain for ages before he wrote, which is from an old court book, of the manor of Cranfield, parcel of the possessions of the Abbey of Ramsay, where the homage at a court of survey, held there in the time of Henry III. said they did not know how many acres made a yard land, because, sometimes four hundred and eighty acres, and sometimes fewer made a yard land, and that four yard lands made a hide.— The measure of a carucate, appears to have differed in respect of place, as well as time. In the reign of Richard I. it was estimated at sixty acres, and in a charter of the same reign, at one hundred acres. In the time of Edward I. at one hundred and eighty acres; and in the twenty-third Edward III. at Burcester, one hundred and twelve acres; and in Middleton, one hundred and fifty acres. The carucate plough-land or hide, in general, is estimated at one hundred acres.

* Domesday-book, con. Devon, Exeter, was to serve as for five hides of e. i. land, to raise one man. It is said of Berkshire, "if the king should send an army any where, only one soldier should go for five hides of land, and for his victuals and pay, every hide was to give him four shillings for two months." Com. Berkescire.

SECTION IV.

On the Norman Conquest, and the changes it produced in this Borough.

THE conquest, as it is called, of William, the bastard of Normandy, forms a distinguished era in the annals of Britain; and effected such changes in the government, laws, and institutions of this country, as entitle it to particular notice and attention.

This event, so fatal to the independence, freedom and happiness of the country, is closely connected with the influence the clergy had acquired; an influence founded on the blind submission of the lower, and in many instances of the higher orders of the state, to their usurped authority. From the munificence of kings and private individuals, they had not only acquired a competency, but enjoyed immense possessions. They had not only secured a tenth of the produce of the land, but had become the chief land proprietors; and as power follows property, their influence in the state may easily be conjectured. Spelman observes, that in the time of William, all the land in the kingdom was divided *into sixty thousand two hundred and fifteen knights fees*; and of these the church possessed *twenty-eight thousand one hundred and fifteen*, nearly one half of the kingdom. Although William had conferred some lands on the church for the pious services its dutiful sons had rendered to himself; the

above fact will support the conclusion, that the clergy had acquired an influence in the state, dangerous to its liberties and independence.

Property in the possession of lay persons, is not long stationary, but is ever circulating by means of the vices, marriages, or deaths of its possessors. But property devoted to the church, or clergy, as forming a spiritual corporation, which never dies, became inalienable ; so that this body appeared likely to realize in practice what they maintained in theory, " That dominion is founded in grace." Property extorted from the hopes and fears of men in their departing moments, often at the expence of their dearest connections, was continually encreasing the wealth of the church, which received all, but parted with nothing.

At this period the clergy, separated from the vulgar by their general habits, and the sanctity of their calling, formed a kind of independent body in the state, subject to the bishops of Rome. These, on the establishment of christianity in the empire, had acquired a dignity in the church equal to that of the city in which they resided. On the subversion of the empire, they artfully availed themselves of every circumstance to increase their power and acquire dominion : and were so successful that they appear to have perpetuated the authority of the Cæsars in the exercise of their spiritual power over the nations of Europe. William, who had no legal claim to the crown of England, applied to the bishop of Rome for his warrant, to seize it by force. This warrant was readily granted, and every pious son of the church was enjoined to aid and assist him in the enterprise. He collected an army, invaded England, and on the death of

Harold, at the battle of Hastings, took possession of the throne and kingdom.

The Saxons, who were not inferior to the Normans, either in prudence or courage, had to contend for near a century before they effected the conquest of the kingdom. What reason can be assigned, why one partial engagement should now decide the fate of the same kingdom? The reason is obvious, the clergy betrayed the liberties and interests of their country. To have opposed William, would have been to have opposed the lord's anointed. After the battle of Hastings, they exerted all their influence to prevent the election of Edgar Atheling to the throne; and persuaded the citizens of London to open their gates, and give William the possession of the capital.

For some little time William acted with lenity; but as soon as his power was established, he threw off the mask and displayed the ferocity of his temper. The Saxon kings had enjoyed lands for the support of their crown and dignity. In the time of Edward, the crown lands consisted of one thousand four hundred and twenty-two manors, in different counties. In right of the crown these belonged to William. Not willing to alienate his own property to satisfy his needy followers, he soon found some occasion to murder or banish the Saxon nobles, and other inferior land proprietors, and gave their possessions to his friends. On Ilbert de Lacy he bestowed the burgh of Kirkby, with all that immense territory included within the honour of Pontefract*.

* The following is the account given of this burgh at the time of the Domesday survey, and clearly establishes the above fact.—

Had the conquest only effected a change in the proprietors of land, it would soon have been forgotten. But William, not content with rewarding

M^{AN} TATESHALL. sunt. XVI. car træ sine geldo. ubi poss. ee. VIII. car. Hoc m̄ hb rex. Nc ht llbtus ibi. IIII. car. et. LX. burgenses minutos. VII. coteros et XVI. uill. et. VIII. bord. hntes XVIII. car. Ibi. e. æccia et pbr. et I. piscaria, et III. mold redd. XLII. sol. et III. ac pti. Silua past. .I. lev lg. et dim lat. Tot m̄. I. lev. et dim lg. et dim lat. T.R.E. ual. xx. lib. m. xv. lib. Infra hanc ceta ctinet elemosina paupum.

Ad eunde maner adiacet H SOCA. Manestorp. Barnebi. Silchestone. Simul. v. car træ et dim ad gld. ubi poss. ee. v. car. Ibi. sunt IX. uilli. et. III. bord. hntes. IIII. car.

Doomsday-book, Vol. I. p. 316.

The following remarks may explain this account:—The manor of Tateshall, is the present township of Tanshelf; which, though not within the borough, forms a part of the present town of Pontefract. In the time of the Saxons, places derived their names from those who inhabited them; but after the conquest, a custom the reverse of this prevailed, and persons derived their names from the place where they resided. Some one of the name of Tate enjoyed this manor under the king, and by connecting with his own name the term, Hall, or place of residence, gave denomination to it. The family name of Tate, with the addition of the Saxon *Ham*, home or ville, Tatham, continued in Tanshelf, till within a few years. Some of this family have been respectable for property, and were mayors of Pontefract. Tatham's yard is a name now given to some houses in Tanshelf, and which will probably perpetuate the name of this ancient Saxon family. The modern appellation seems derived from this, by an easy corruption in the pronunciation, as Tatshall, Tanshall, Tanshelf.

The burgh of Kirkby is not mentioned by name, but is included as a part of the manor of Tateshall; and what follows unquestionably contains a description of its state at that period. In the Doomsday survey, many places are omitted by name, either through haste or from some other cause, which are clearly described under some other neighbouring district.

The number of burgesses, together with those in a servile state, amounts only to an hundred families; and reckoning on an average, five to a family, the population of the place at that period, consisted only of five hundred persons, men, women and children. When we reflect on the bloody wars during the heptarchy; on the

his followers with the lands of the Saxon proprietors, he subverted the constitution, and introduced and established the feudal system; a system of organized

Danish invasion, and the contests with the Conqueror, the thin state of population will excite no surprize.

There is no thane or lord of Kirkby mentioned. As this survey goes back to Edward, and as in other places, the thanes and earls are specified as proprietors, does not this circumstance imply that it was then in the possession of the king?

The burgesses appear to have been chiefly mechanics and tradesmen, as only eighteen plough-lands were in possession of the burgesses and the servile. The carucate or plough-land, if estimated at 60 acres, the whole will give only 1080 acres, or about 10 to each person. The greater part of the land was cultivated by persons in a servile condition. The *Cotarii*, were so called, because they dwelt in small huts or cottages, near to the mansions of their masters. They were persons, who had been instructed, by the direction of their owners, in some handicraft trade, as that of smiths, carpenters, &c. which they practiced for the benefit of their masters. The *Bordarii*, were a kind of upper domestic servants, who waited at table, (then called *bord*) and performed other offices in their masters houses. They resided in huts of their own, to which little gardens and parcels of land were annexed, as the fee or reward of their services. The *Villani*, were predial slaves, who cultivated the inlands of their lords.

Vid. Spelman Gloss. in voc.

In this account it is remarkable, that nothing is said respecting the number of burgesses, the quantity of land in cultivation, or who enjoyed it, in the time of the Confessor. The only thing noticed is, that the value of this manor had decreased one fourth, being then worth twenty, and now only fifteen pounds.

The whole quantity of land in cultivation, was thirty plough lands, in the hand of the burgesses and the servile, which at sixty acres, will make one thousand eight hundred acres. No waste lands were included in this survey. The land in the present township of Pontefract, according to Mr. Hepworth's survey, is two thousand one hundred and thirty one acres; and as the townships of Tanshelf, Carlton, and Hardwick, were at the time of Doomsday survey, included within the manor of Tateshall, we may infer, that, not much above one third of the land was then cultivated.

The wood which might be depastured, one mile long and a half broad, most probably stretched along from the site of the

tyranny and oppression. In this system the king is sole proprietor of all the land in the kingdom, and the only freeholder. He gives to his friends land to hold of him, on what condition he pleases; but most commonly on condition that they furnish him with a number of men proportioned to the extent of their estate. Those who thus obtained estates, are said to hold of the king *in capite*, and were called barons. These let off some portion of their estates on like conditions; and thus estates passed through all the various degrees of subinfeudation. The great body of freeholders were now deprived of their freeholds, and their land subjected to this new species of tenure.

The burgesses of Kirkby became subject to Ilbert de Lacy, their feudal lord, and were deprived of their most valuable rights and privileges. The right of choosing their own burgh-reve, and governing themselves according to law, was now taken from them. The burgh-mote gave place to the court baron, in which he presided, either personally or by his constable. He, and not the burgesses, choose the burgh-reve*. They were called

present town through Fryer-wood gardens to Carlton, and South Hardwick; on the side of which, the Roman road passed to Legeolium.

The church has been already noticed, and the Alms-house for the poor is undoubtedly that of St. Nicholas.

* The office of Burgh-reve, bailiff or constable, was put up to sale by the feudal proprietor, as appears by the first charter. Vid. App. Ch. 1. It is said, that the burgesses should have the preference, if they would give as much for the office as others." When an office is purchased, the purchaser will always attempt to reimburse himself; and if the usual fees are not deemed sufficient, he will find some causes of complaint, in order to impose fines and obtain the sum wanted. When civil offices are put up to sale, justice and equity cannot be expected.

burgesses, but deprived of their right as such; and the only privilege they appear to have enjoyed, was, that as freemen they could not be sold like the servile.

The burgesses now became subject to imposts and exactions, which were indefinite and arbitrary. The lord could tallage them at his pleasure; nor had they any redress. If they had not submitted to pay as an aid what he demanded, they would have been deprived of their houses and tofts. They could neither buy nor sell without his permission; nor was this permission granted without some pecuniary fee, or impost, denominated lastage.

A people who choose their own peace-officers can never be long oppressed; and William, by subjecting the burghs to feudal lords, put his finger on the great artery of the constitution, and by stopping the vital circulation, paralyzed and extinguished civil freedom. The burgesses, by this event were stripped of all their immunities, and for a series of years, remained without rights, corporate privileges, or political consequence.

The hostile chief, in conquest's laurels dress'd,
Sporting the trophy'd car and pompous crest,
But little thinks, or, thinking, little cares,
How hard the tenant of the cottage fares;
By him depriv'd of all his former toil,
And left to starve upon the fruitful soil:
Laughs at the churl, and revels o'er his wine,
Whilst flatt'ers hail each fiend like deed divine:

SECTION V.

On the modern name of this Borough, and the building of the Castle.

HISTORIANS have differed as much respecting the name as the origin of this place. The fictions of superstition and the reveries of a wild imagination, have been united together to account for it. Hume conjectured, that it derived its name from the fertility of its soil, and the excellent produce of its orchards. From *Pomo fero*, he would make Pomfrete. This etymon would not be improbable, if this orthography was established; but is wholly inadmissable when it is considered, that in all the Latin charters, it is written Pontfractus, and not Pomfrete.

Thomas de Castleford, who was bred a Benedictine monk, and who wrote the history of this place, accounts for its present name from the following miracle. William, Archbishop of York, and son of the sister of king Stephen, being on his return from Rome, was met by such crowds of people, who were desirous to see him and receive his blessing, that a wood bridge over the river Aire, near to this place, gave way and broke down; by which accident vast numbers fell into the river. The bishop, who had been invested with the pall *, and who was

* The pall which popes were accustomed to send to archbishops, is an ornament worn on their shoulders. It is made of lambs wool, and spotted with purple crosses, and is considered as a token of their spiritual authority and jurisdiction:

deemed to have an interest equally as great in the court of heaven, as in the Vatican, affected at the danger of so many persons, poured out his prayers with such fervour and success, that not one perished. Whether this miracle consisted in dividing the stream, or in rendering the gross bodies of those who fell in, specifically lighter than the fluid, we are not informed; and to reason or form conjectures on so mysterious a point, would be equally vain and impertinent. To perpetuate so striking and so signal a miracle, the pious Normans, says Thomas, gave the name of Pontefract, or Broken-bridge, to this place*.

It is unfortunate for the credit of this story, that the topography of the miracle (indulge me in the expression) has been disputed. The metropolis of the county, York, contends with us for the honour of it. Drake maintains that the bridge over the Ouse fell in, and that it was there the miracle was wrought†. It must be acknowledged there is stronger proof of its belonging to York, than to this place, as Gent describes a representation of it painted in a window of a church near to which it happened.

What wholly destroys the credit of this legend,

* *Polydore Virgil* is the first who hath related this story, and Thomas implicitly follows him, though acknowledged to be an author of small credit. Thomas, in the genuine spirit of a monk, solely intent on the honour of the place where he resided, recites *Polydore* without noticing *Brompton* and *Stubbs*, who refer it to the city of York.

† “The saint seeing the accident made the sign of the cross over the river, and addressed himself to God with many tears. All ascribed to the efficacy of his prayer, the miraculous preservation of the multitude, especially of the children, who all escaped out of the water unhurt.” *BURTON’S Lives of the Saints*.

is, that this town was called Pontefract half a century before St. William was made Archbishop of York. In the charters granted by Robert de Lacy, commonly called Robert de Pontefract, to the monks of St. John the Evangelist, it is stiled both Kirkby and Pontfract.—The words are “*De Dominio suo de Kirkby, et deo et Sancti Johanni et Monachis meis de Pontfract.*” The first of which charters Robert says he made by the advice of Thomas Archbishop of York, and the second was signed by Thomas Archbishop of York, which must have been the first archbishop of that name; as Robert de Lacy died in the seventh of Henry I. *anno* 1107, and the second Thomas did not succeed to that see till the ninth of that reign. St. William, to whom this miracle is attributed, was not in possession of the see of York till the year 1158; from which it is evident that this town was called Pontefract, at least, fifty-two years before the above miracle is pretended to have been performed.

The opinion of a respectable antiquarian that the name Pontefract was originally given to Castleford, and that on the decay of the place, the inhabitants having fled here, gave the same name to their new abode, is equally unfounded and unsatisfactory. There is no evidence that a bridge had been built at Castleford, at so early a period; but on the other hand, its very name implies, that on account of the breadth of the stream it was fordable. When the navigation was cut, the old Roman road was found some feet below the surface of the ground, shelving down towards the bed of the river. From this circumstance it is evident, that no bridge was there in the time of the Romans; and the following fact proves there was none pre-

vious to the conquest. Mortimer informs us that William the Conqueror, in the year 1070, receiving intelligence of great devastations committed in the north by the Danes, and the Northumbrian rebels, levied a formidable army, at the head of which he marched towards the kingdom of Northumberland, of which Yorkshire was a part, vowing in the fury of his wrath, that, "by the splendor of God's face" (his usual oath) he would not leave a Northumbrian alive to stir up future insurrections. On his march into Yorkshire he took Nottingham in his way, but when he came to Pontfret, or Pontefract (before this called Kirkby) he found that the enemy had broken down the bridge over the Aire at Ferry-bridge, and the waters being at that time swelled, he despaired of being able to pass the river for a considerable time. He had waited three weeks with the greatest impatience, when one of his Norman knights called Lisois (probably the same person afterwards called Lacy, on whom he bestowed the town) discovered a ford, by which William and his army passed the river.

Other historians assert, that the name is derived from the decay of an old bridge, which had been formerly built over an aqueous and marshy place, near to which the old town principally stood. Leland says, "the ruines of such a bridg yet ys seene scant half a mile est owt of old Pontfract, but I cannot justely say that this bridge stode ful on Watheling streete;" for the want of which the road was often impassable to travellers, till proper channels were made for the use of two mills, one called the upper mill, and the other the lower, or Bondgate mill*.

* The upper mill was situate within a few paces of the north

The principal part of the town formerly lay round the castle, and the place where the town now stands was a wood. Leland says, "the fairest parte of Pontefract standith on the toppe of the hille wher was after the conquest a chapel with a few sparkeled houses. The chapel was caulled St. Leonardes in the frithe (wood), and as I can learne this part of the town was called Kirkeby."

Camden says "*Saxonicis temporibus Kirkby vocabatur, sed Normanni a fracto Ponte, Gallice Pontfract nominarunt.*" It was customary with the Normans to call their towns and villages after the names of bridges, and this might induce them to do so in England; but as there is not a river within two miles of this place, and before the drains were made, the wash was not only supplied from the high springs, but frequently heightened by excessive rains, it must consequently have been here that the said bridge was built, and came to decay, which gave the present appellation to this ancient borough. And this is rendered the more probable, because by an inquisition taken in the reign of Edward II. it appears that one John Bubwith held the eighteenth part of a knight's fee, "*Juxta veterem Pontem de Pontfract,*" and a place at this day called Bubwith-house terminates this wash; so that it is presumed it must be this bridge, which being broken down, gave occasion to the Norman lord to change the name of this town from Kirkby to Pontefract. That this must have been the situation is the more apparent, when we consider that

east corner of the castle, and is now in a ruinous state; the lower was situated near the wash; about six hundred yards below the castle, and was internally demolished in the year 1766, the materials sold, and the large dam filled up and converted into a meadow.

before the late alteration of the roads, by which the stream called the Wash is now confined to a narrow channel, upon any violent rains or sudden thaw, it so swelled and overflowed as to be scarce passable, particularly before the drains were made from hence to the river. Nor does there appear from the high situation of the town to have been any necessity for a bridge elsewhere.

Such are the varying opinions respecting the name of this place. The last seems most probable and supported by the clearest evidence. The orthography of the name in the latin charters, would induce the belief, that it must refer to the breaking of some bridge; and as there is no other place near the town where a bridge was built but over the wash, the breaking down of this must have given name to the place. But as names are arbitrary, and frequently imposed from mere whim and caprice, or from accidental circumstances, which in many instances are not handed down, no certain conclusion can be made; and we must remain satisfied with what is most probable.

The castle is supposed to be of Saxon origin; and the site of it is perfectly agreeable to their mode of fortification. While the Romans formed their camps on a plain, or on the level ground, and defended them by a foss and a vallum, the Saxons raised the area of their camps and castles, if the ground was level, or selected hills as places best adapted for defence and security. The elevated rock, on which the castle is built, stands wholly insulated, its sides originally steep and craggy, forms one of those appearances, which indicate some great convulsion of nature, by which rocks have been rent asunder, and the various strata of earth washed

away. A site like this, without much trouble or expence, might soon be converted into a keep or castle; and it is not probable that the Saxons would neglect it during the period of their dominion. In support of this opinion, since the demolition of the castle, it has been found that the keep of the great round tower stood upon a raised hill of stiff hard clay, of which materials the Saxons usually made their keeps.

After the conquest, Ilbert de Lacy having received a grant of the place, and in the tenth of William, all his vast possessions being confirmed to him, he soon after began to erect the castle. This noble structure cost immense expence and labour, and no one, unless in possession of a princely revenue could have completed it. This formidable fortress and magnificent palace was carried forward for the space of twelve years, with unremitting attention, and in the year 1080 was finished. Ilbert de Lacy, when he laid the foundation-stone of the castle, called the name of the town Pontfrette, because the situation, as he conceived, resembled the place so called in Normandy, where he was born *.

* Vid. M. S. P. D. of T. Wilson, in Biblioth. Leed. This authority is deserving of more credit, as T. W. copied from Hopkinson, who transcribed whatever was valuable from the records of the castle, previous to its demolition,

SECTION VI.

The history and pedigree of the Lacies, Lords of Pontefract, till the failure of the male line, and the union of this family with Thomas Plantagenet, Earl of Lancaster.

THE noble family of the Lacies came in with the Conqueror; and if we are allowed to judge from the extent of their possessions, they enjoyed a considerable degree of his favour. Ilbert* received the gift of one hundred and fifty manors, or the greatest part of so many in the west of Yorkshire, ten in Nottinghamshire, and four in Lincolnshire. These possessions were confirmed to him in the tenth of William †.

William the Conqueror, after a turbulent and unquiet reign of twenty years, departed this life; and as his eldest son Robert, who had rebelled against him during his own life, was heir to the Dukedom of Normandy, he sent William to England previous to his death, desirous, that he might enjoy the British throne. William succeeded, by the favour of Lanfrank, the Archbishop of Canterbury, and Eudes, his fathers steward, who delivered to him all the royal treasures, and secured the cinque

* His brother Walter, received considerable possessions as a reward for his services, in Herfordshire and other counties. He died before the survey, and all his estates had devolved to his eldest son Roger, who enjoyed one hundred and twenty lordships. Vid. Domesday, Herf.

† DUDG. 99. This account agrees with the Hopk. MS.

ports in his interest. As he expected his right to the throne would be disputed by his brother Robert, he endeavoured to ingratiate himself by every act of popularity. He courted the English, and they became strongly attached to his interests, and resolute to maintain his cause against all opposers. He confirmed the grants made by his father to the Norman barons, of all the lands they held, that they might be secure in the possession of their property. Among others, Ilbert de Lacy obtained a confirmation of all the customs belonging to the castle and honour of Pontefract, as he had enjoyed them during the former reign. He founded the collegiate chapel of St. Clement, in the castle; and dying soon after the accession of William Rufus to the throne, left his vast possessions to his eldest son Robert *, called Robert de Pontefract, from the circumstance of his being born here.

William Rufus, confirmed to this Robert all the lands of which his father died seized; and he appears to have acquired the lordship of Blackburnshire, now one of the hundreds, in the county of Lancaster, bordering on his own estates in Yorkshire, from Roger de Busli, and Albert de Greslet, and

* He left a younger son called Hugh; but according to the law of primogeniture, the whole estates went to Robert. This law was introduced into Europe by the feudal system; and was essential to the support of it. The Saxon law of gavel-kind, the original law of all nations, by which a father's property, whatever it was, was equally divided among all his children, was abolished, as incompatible with duties imposed by this system: The clergy had laboured much to introduce the canon law, which sanctioned primogeniture, as divinely appointed; and as this harmonized with the feudal system, it became at length firmly established. If the law of primogeniture be examined, it appears to have no foundation in reason or equity; and could never have obtained in society, but in connection with the factitious system which required personal service to be rendered to the king, for the lands held of him.

to have held it under them *. He founded the priory of St. John the Evangelist here, and was a great benefactor to the hospital of St. Nicholas. He is said to have added greatly to the strength and beauty of the castle.

On the death of Rufus, by the fortunate arrow of Walter Tyrel, Henry, the youngest son of the Conqueror, had interest sufficient to gain possession of the throne. Robert, Duke of Normandy, who in the true spirit of the age, had joined his forces to the first crusade, and had contributed essentially to rescue the holy city, Jerusalem, from the infidel Mahometans, was now absent; and notwithstanding it had been agreed by William Rufus, that if Robert outlived him, he should succeed to the throne, Henry was solemnly crowned. What he had thus acquired, Henry endeavoured to retain, by conciliating the affections of the people. He punished the instruments of his late brothers oppression; he rectified the abuses of government, and secured the regular administration of justice. He revived the laws of king Edward, and granted a charter of liberties, according to which his government was to be regulated.

Robert, on his return to Normandy, made preparations for putting his claim to the crown of England to the decision of the sword. He collected a body of troops, and having crossed the channel, landed at Portsmouth. Although the barons had taken the oath of allegiance to Henry, and he had not given them the least cause for complaint, many joined Duke Robert, and among the chief of these was Robert de Pontefract †.

* At the time of the survey, these are mentioned as the tenants in capite. Vid. Warr. Whalley.

† It is difficult to assign any reason sufficient to justify the

Henry marched against Robert with the utmost dispatch, resolved to give him battle. The two armies approached and faced each other for several days without coming to action. During this state of awful suspense, some common friends of both interposed and effected an accommodation, on condition that Robert should resign all claim to the crown, unless Henry should die without issue, and for which he should receive an annual pension of three thousand marks. It was also stipulated that those nobles who had joined Duke Robert, should be indulged with pardon, and the full restoration of all their lands and estates, to which Henry very readily consented.

Promises made in a time of danger are often forgot in a season of security and peace; and Henry no sooner saw the storm which had threatened him dispersed, than he began to shew his resentment to Robert de Pontefract and his son Ilbert, and the several nobles who had taken part with his brother.

A brave man knows no malice, but at once
Forgets in peace the injuries of war,
And gives his direst foe a friend's embrace.

According to Dugdale*, Henry banished Robert de Lacy, and his son Ilbert the realm, seized the castle and honour of Pontefract, and gave them to Henry Traverse. Whatever might be the gratifi-

conduct of the barons. It is probable they were governed by motives of personal interest. As most of them had large estates in Normandy, they apprehended that if Robert held Normandy, without being raised to the British throne, he would deprive them of the estates they had there. Their design appears to have been to have united the two crowns in one person, that they might secure their possessions in both countries, Vid. LITTLE. Henry II.

* BAR. v. 1, p. 99.

cation H. Traverse might feel on this advancement to power, wealth, and dignity, he was permitted to enjoy it only for a few days. One Pain, a wicked servant of his own, whether intentionally or accidentally is not clear, mortally wounded him; after which, to atone for his crime, he became a monk, and died three days afterwards.

This circumstance did not tend to the benefit or restoration of Robert de Lacy. The king on the demise of Traverse, bestowed his castle and lands on Hugh Delaval, who enjoyed them for some time.

During Delaval's temporary possession of the castle and honour of Pontefract, he made several grants of churches to different religious houses. He bestowed on the priory of St. John here, the church of Whalley*; and gave lands to the priory of Nostel†.

Dugdale gives a confused account of Robert de Lacy, and informs us, he was never restored to his possessions, but died in exile; that his son Ilbert was treated with the same severity, and experienced the same fate,—that Henry, the son of Ilbert, after the death of king Henry I. taking advantage of the troubled state of the kingdom, in the beginning of Stephen's reign, returned,—expelled Delaval from the castle of Pontefract; and took possession of it as his lawful patrimony. He corrects the above statement, on the authority of an old historian, who averred, that Ilbert, the son of Robert, was restored during the reign of Henry I. and who calling to mind the sufferings of his father, strenuously supported the cause of king Stephen, with whom he obtained great favour.

* Vid. WHIT. Whalley.

† BURTON, *Monasticon Ebor.* 304. WHITAKER, *Wh.* Vol. I. 140.

The above account is unquestionably inaccurate. Indubitable evidence can be produced, that Robert de Lacy, after a few years exile, was restored to all his estates and honours. We find him confirming some of the grants of churches, made by Delaval during his possession*. He built the castle of Clitheroe, previous to his exile. This may be fairly inferred from the circumstance, that it did not exist at the time of the survey, and Delaval, during his possession, granted a charter, under the dependencies of the church of Whalley, of the capellam Sci. Michaelis in Castro de Clyderhow.

Robert de Lacy, called also de Pontefract, died in the latter part of Henry I. reign, and left two sons, Ilbert and Henry; the first of which inherited all his vast estates†.

On the accession of Stephen, 1135, Earl of Boulogne to the throne, the friends of Matilda, the daughter of Henry, who had married to her second husband Geoffry Platagenet, Count of Anjou, made various attempts to obtain for her the crown as her just inheritance. Ilbert de Lacy espoused the cause of Stephen, and greatly contri-

* Vid. BURTON, Mon. Eb. in Nostel. The following are grants and confirmations between these parties,

CHURCHES.	GRANTORS.	CONFIRMATIONS.
Batley,	Robert de Lacy,	Hugh Delaval, Hen. 1. Alex. 3
South Kirkby,	Hugh Delaval,	Robert de Lacy,
Featherston,	Hugh Delaval,	Robert de Lacy, Step. Alex. 3.
Huddersfield,	Hugh Delaval,	Robert de Lacy, do.
Rothwell,	do.	do.
Warmfield,	do.	do. do.

† The Townley MS. pedigree of this family, mentions a Gilbert Lacy as the successor of Robert; but as this disagrees with the pedigree taken from the hospital of Pontefract, with that of the Lacies of Cromwelbottom, and others, it appears to be an error. W. MS.

buted to his success and triumph over David, king of Scotland; uncle to Matilda, who, to support her pretensions, entered the northern parts of England, with a formidable army, and penetrating as far as Northallerton, ravaged the country, and wantonly murdered the inhabitants.

Stephen was at this time engaged in quelling an insurrection in the south, headed by the Earl of Gloucester; he therefore appointed Thurston, Archbishop of York, assisted by Ralph, Bishop of Durham, his lieutenant of the north of England. On their arrival in Yorkshire, they represented to the barons and principal inhabitants, the indispensable necessity of raising troops, and exerting their united efforts, to repel the invaders.

Animated by the presence of this gallant and martial archbishop, they unanimously embarked in the common cause of liberty, and assembled their troops under the command of William, Earl of Albermarle, assisted by Robert de Lacy, Robert de Ferrers, Walter Espec, Roger de Mowbray, and other northern barons, determined to stand or fall by one another. They advanced as far as North-Alverton (Northallerton) in Yorkshire, where they drew up in order, expecting the enemy, and where the venerable Thurston had caused to be erected a famous standard, at the top of which was placed a silver cross, and under this the banners of St Peter, St. John of Beverley, and St. Wilfred of Ripon, from whence the battle that ensued was called the battle of the Standard. The English forces were drawn up in a firm compact body round the standard, when Ralph, Bishop of Durham (Thurston at that time being ill) made a suitable oration, and absolved from sin all such as should

be slain in battle. Thus encouraged they fell upon the Scots with such bravery that they totally routed them, killing ten thousand upon the field of battle. The place where this battle was fought, which was on the twenty-second of August, is called Standard-hill to this day*.

Ilbert de Lacy, after the above battle, obtained a pardon on behalf of all his servants, and for all forfeitures whatsoever†. He married Alice, daughter of Gilbert de Gant, a benefactress to the monastery here.

Amidst the confusion of Stephen's reign, in which, the greatest barons changed sides as interest or caprice might lead, Ilbert continued faithfully attached to the king. Whether he outlived Stephen, or died before him, we are not informed. As he had no children by Alice de Gant, his estates came to his brother Henry.

The sudden death of Stephen left Henry, the son of Matilda, without a competitor for the crown. Though young, Henry II. possessed talents equal to the arduous duties of government. He had the wisdom to select, for his ministers, some of the best statesmen in the kingdom; and instead of banishing those nobles who had been faithful to Stephen, he had the greatness of mind to overlook this fault, and to raise them to places of trust and honour. Henry de Lacy received from him a confirmation of his whole honour of Pontefract, with a charter

* See a correct account of this important victory in Littleton's history, Henry II.

† This Ilbert, with the consent of his brother Henry, gave the mill and land at Campsall to the knights templar of St. John, of Jerusalem, as appears from the original grant in the possession of Burton, W, MS.

for an annual fair, to be held there, and to begin on St. Giles' day, the first of Sept. (O. S.) and to continue eight days following.

Henry de Lacy, in pursuance of a vow he had made during a painful and dangerous indisposition, founded the monastery of St. Mary, at Bernoldswick, in Craven. He assigned over this town, which he held of Hugh Bigot, Earl of Norfolk, at the yearly rent of five marks, and a present of a hawk, to the monastery. The Scots having ravaged the lands belonging to the monks, and other unfavourable circumstances occurring, induced them to seek a more safe and fertile retreat. Alexander, the abbot, travelling along the banks of the Aire, came to a woody spot, where some anchorites had fixed their humble habitation. The site of the place pleased the abbot; and he persuaded his patron, Henry de Lacy, to remove the monastery from Bernoldswick to Kirkstall. Henry obtained a grant of the land from William of Poitou, and founded the once magnificent abbey of Kirkstall, near Leeds.

At his death *, in the latter part of Henry II. reign, he was succeeded by his son and heir Robert de Lacy. He was one of the barons who attended at the coronation of Richard I. and dying without issue, in the twelfth kal. Feb. 1193; the estates and honour of Pontefract descended to Awbrey de Lisours. She was his sister by the mother's side, who was the daughter of Eudo de Lisours, by Awbrey his wife, who was the widow of his father Henry, and therefore his nearest relation. Awbrey claimed as her right, not only the barony of Pontefract, but all the lands of Robert, by virtue of a

* He was buried in the abbey of Kirkstall.

grant from Henry de Lacy to Awbrey, her mother*. She also as heiress to her father's large possessions was immensely rich; and by marrying Richard Fitz Eustace, constable of Chester, and baron of Halton, enjoyed a rank equal to her ambition. Richard Fitz Eustace, having died before Robert de Lacy, the estates of both noble families came to John. John animated by the spirit of the times, joined Richard in the third crusade, together with his eldest son Roger. Whether he fell by the hand of the enemy, or by the fatigues and changes of climate, is uncertain; but he is said to have died at Tyre, in the land of Judea †.

Roger, his eldest son, who had accompanied him in this expedition, now became entitled to all his estates. He continued with Richard I. and contributed to the success of his arms against the Mahometans. He was present at the memorable siege of Acre, which, after an obstinate defence, was surrendered to British valour ‡.

Roger was accompanied in this crusade by William Bellamonte, ancestor of the Beaumonts of Whitley, near Huddersfield, to whom, after his return, he gave eight oxgangs of land at Huddersfield, and who appears to have been his inseparable

* *Saxaginta Feoda Militum* (of the honour of Pontefract) unde illa post Roberti de Lacy mortem utramque Hereditatem, frater-nam de Lacy et Paternam de Lisours occupavit."

† He left issue by Alice de Mandeville, Roger, Richard, and Peter.

‡ See WHITAKER Wh. It is amusing to consider, that this same Acre, where English and French, although not much better friends than now, united their forces to combat Saladin, and where so many of both nations perished, should, after a lapse of seven hundred years, become again memorable by the gallant defence of Sir Sydney Smith, and the repulse of Bonaparte.

companion ever after, as he generally attests the charters which Roger granted.

Chester, being contiguous to Wales, often suffered greatly from the incursions of the hardy mountaineers of that country. Although the kings of Wales, did homage to the kings of England, and paid an annual acknowledgment, they were ever ready to rush forth and plunder the adjoining districts. Roger Fitz Eustace, fierce in his temper, and inclined to a state of warfare, repelled their aggressions, and treated them with such severity, that they surnamed him, Hell*.

He was the first of his family who took upon him the name of Lacy, and in the fifth of Richard I. he came to an agreement with Awbrey his grandmother, for all the lands belonging to the honour of Pontefract; and by a fine levied at Westminster, before H. Archbishop of Canterbury, W. Bishop of Eli, Chancellor to the king, and others, she quit claimed to him all the lands which did belong to Robert de Lacy. In the same year Roger granted a charter to the burgesses of Pontefract†. He also granted to those burgesses who had lands in the moor ‡ one hundred and ninety-four acres, to hold,

* "There is evidently something allusive to the temper and achievements of Roger de Lacy, in his great seal, some drawings of which have been preserved. On the obverse side, instead of the equestrian figure, usual in that situation, is the spirited figure of a griffon grinding the body of some other animal; and on the endorsement, an armed man trampling on the body of an enemy, whose head he holds up triumphantly with his right hand, while the left sustains an antique heater shield." WHIT. Wh. Vol. I. 142.

† Vid, APP. Charters. No. 1:

‡ Where did this lie? Is it not the land now called the West-field? This was a common field in which the burgesses had separate lands, till within late years; and what establishes the fact is,

to them and their heirs for ever, paying to him and his heirs, at the feast of St. Michael, fourpence per acre annual rent.

In the sixth of Richard I. he answered £45. 15s. for the scutage then levied, on account of the king's redemption. While the feudal system continued, the military tenants, were obliged, in case the lord of whom they held was taken prisoner, to contribute, in proportion to their land, towards his ransom. Richard I. returning from the third crusade, and willing to take the nearest rout home, travelled incognito through Germany. He was however recognized, and the emperor treacherously seized him, and detained him a prisoner. To obtain his ransom the above scutage was levied.

In the seventh of Richard I. he paid a fine of two thousand marks to the king, for livery of all his lands and castles belonging to the barony and honour of Pontefract, except the castle of Pontefract, which the king now retained in his own hands.

Are we to consider the above fine as the relief which Roger paid for admittance to his estates? If we are, it is certainly exorbitant *, and affords one, among many other proofs of the tyranny and

that some proprietors of land here, now pay to the mayor fourpence per acre, as being the load of the mayor. What origin can be assigned of this tenure, if it did not spring from this charter?

* The mark is estimated at thirty shillings, and the fine now levied would amount to three thousand pounds. When the comparative value of money is considered, this sum then, would be equal to thirty thousand pounds now. In the reign of William the Conqueror, and down to Richard I. commodities were on an average ten times cheaper than they are at present. Bishop Fleetwood has shewn that in the year 1240, four pounds thirteens shillings and ninepence was worth fifty pounds of our present money." ENCQ. in. mops.

oppression of the feudal system. For as the king thus arbitrarily fined the tenants in capite, on entering into possession of their baronies and honours; the barons imposed fines in like manner on all their under-tenants; and nearly the whole land of the kingdom was subject to a tenure, in many respects similar to the worst of our modern tenures, that of holding by copy of court-roll, usually called copyhold.

By detaining the castle of Pontefract in his own hands, Richard appears, either to have doubted the fidelity of Roger de Lacy, or to have kept it for the purpose of extorting from him another sum of money.

On the death of Richard I. and the accession of his brother John, Roger de Lacy had livery of all the lands and castles belonging to him. As John's title to the crown might be disputed by Arthur, Duke of Bretagne, he like most of William's successors, began his reign by conciliating the barons. He did not admit Roger de Lacy to possess his estates till he had agreed to pay five hundred marks, and to give his son and heir as an hostage for his future fidelity. It appears however that Roger de Lacy had not paid the five hundred marks in the fourth of John, as he then came to a new agreement to pay the whole by instalments, of a hundred marks per annum, and to give the king annually, ten palfrys, and ten lease of greyhounds.

When king John had most wickedly put to death Prince Arthur, his nephew, and who was the real heir to the throne, a general defection of his barons in Normandy, and other foreign provinces, took place; and Philip king of France took them under his protection, and assisted them in their enterprises.

The principal castles in Normandy had been surrendered to Philip; and John, instead of repelling the enemy, conscious of his own crimes and of the abhorrence of the Normans, shamefully fled to England. The only place which made any resistance to the arms of Philip and the barons, was Chateau-Gaillard, in the Vexin. This place was bravely defended by Roger de Lacy, for the space of six months, against all the power of Philip; and when Roger de Lacy was compelled to surrender, he was treated with great respect, and allowed to live at liberty in Paris upon his parole, but he could not obtain his release until he had paid six thousand marks for his ransom.

Roger de Lacy, after having obtained his liberty, was actively employed in arranging his own private concerns; and in the sixth scutage of John, he answered for forty three knights-fees and a half. He died October 1, 1211, and was interred in the abbey of *Stanlow*, leaving by *Maude de Clare* his wife, a daughter married to Geoffry, dean of Whalley; and John de Lacy who succeeded to his possessions.

At this period the oppressions, cruelties and crimes of the king, had incensed the whole kingdom against him. Every one secretly wished his deposition; and some avowed their wish, that such a pest to society and scourge to the nation, might be removed. While men's minds were thus agitated, Peter de Pontefract, commonly called the *wise hermit*, on account of his various predictions of several strange things, which were to come to pass, prophesied openly of king John, and said, "that on the ascension day following, there should be no king, and that the crown on that day should be translated to another." The king hearing thereof,

commanded the hermit to be brought before him, and on his arrival, the king demanded whether he should die on that day? or in what manner he should be deprived of his crown? The hermit answered, "know this most certainly, that at that day thou shalt not be king, and if I should be found a liar, then doe with me what ye will." On which the king replied, "it shall bee even so as thou hast saide," and instantly ordered him into prison there to be kept till the time *,

* "According to M. Paris, his prediction was, "that John should not be king the next Ascension-day, nor afterwards, but that the crown of England should on that day be transferred to another." The original runs thus; "Sub his quoque diebus, erat in provincia eboracensi, heremita quidam Petrus nomine, qui eo quod multis futura multa prædixerat, sapiens dicebatur. Hic, inter alia quæ spiritu prophetiæ tactus viderat de rege Johanne; palam coram cunctis astantibus, illud prædicando publice aserebat: Quod non foret rex in die dominicæ Ascensionis proxime sequentis, nec deinceps: sed die illa coronam Angliæ ad aliam transferri prædixit. Cujus assertio cum ad regis notitiam devenisset, et, ipso jubente, ad ejus præsentiam adductus fuisset, quæsiit ab eo rex: si die illo esset moriturus, vel quo ordine a regni solio privaretur; Qui respondit; Noveritis certissime quod die prædicta rex non eris. Et si de mendacio convictus fuero, de me quod placuerit faciatis. Cui rex, fiat, inquit, secundum verbum tuum. Tunc rex tradidit illum Willielmo de Harecurt, custodiendum, quem idem Willielmus, custodibus et arctioribus vinculis constrictum, apud corricum incarcerationavit, donec probaret quem exitum res haberet." MATT. PAR. p. 195.

Wikes treats this hermit as an impostor for pretending to the knowledge of future events, which our author says belongs to God only; ascribes his popularity to the ignorance of the vulgar; and represents him as foretelling expressly, that John should die in the fourteenth year of his reign. His words are too remarkable to be omitted: "Eisdem temporibus erat quidam falcus in Anglia, nomine Petrus de Pontefract quem vulgo Petrum sapientem anglice nuncupabant, cui laicorum rusticana simplicitas, pro eo quod multa prædixerat, quæ postea rei exitus approbavit, prophetiæ spiritum aserebat inesse, tribuens ei præscientiam futurorum, quæ secundum fidem catholicam soli deo creditur ascribenda; diu autem

predicted was expired. In the mean time, the pope had excommunicated the king, and laid the kingdom under an interdiction, which obliged the king to resign his crown and dominions into the pope's hands, which he did by charter, dated the 15th of May, (being the ascension day) in the fourteenth year of his reign to Pandolph the pope's vicegerent, who kept the crown four or five days, by which the hermit's prediction was in some measure fulfilled, but as it was the king's prerogative to make his own interpretation, it cost the poor hermit his life. Ascension-day was no sooner past than the king ordered the hermit out of prison, and condemned him to be tied to a horse's tail, and drawn through the streets, and that both he and his son should be hanged on a gibbet, which sentence was instantly executed.

prædictat post annum quartum decimum regni regis, regnandi potestatem regi finaliter eximendam, quod quidem contigit, sed alio modo quam putabat. Alludebat etiam huic prædictio revelatio facta, cuidam monacho vltro sancto transmarino in somnis: quod ultra annos xiv. non regnaret. Et quidem anno regni sui quarto decimo (ut prædictum est) ac et regnum suum sedi apostolicæ subjugavit." Our author, after expounding and confirming the truth of the hermit's prediction, by the king's submission to the apostolical see, proceeds to inform us, that John having enquired of Peter the day before he made his submission, how long he thought he should reign, was answered, "till three o'clock the next day at farthest;" and John was so highly exasperated by his reply, that he ordered him to be closely confined in Corf-castle, with a firm resolution of bringing him to punishment, and the next year he was torn to pieces by horses, after having been hung upon a gallows. *Chronic. T. Winesatan. 1213 and 1214.*

This extraordinary prediction is authenticated by the manuscript of Wendover; and Polydore Virgil imputes it to the discoveries of magic, "*magicis artibus.*" But Speed judiciously suspects the whole of imposture, and imagines that the hermit was suborned, to lessen the attachment of the people to the king. *SPEED b. ix. ch. 8. p. 558.*

John de Lacy, the lord of Pontefract, who, after the death of *Alice de Aquila*, his first wife without issue, married Margaret, daughter and coheiress of *Robert*, son of *Saher de Quincy*, Earl of Lincoln. This *Robert* married *Hawys*, fourth sister and coheiress of Randal Blundevil, Earl of Chester and Lincoln, who gave to her, in the distribution of his lands and honors, the latter earldom, *scilicet quantum ad me pertinuit ut inde comitissa existat*—from her it descended to *Margaret* her daughter, who, by marrying John de Lacy, brought the earldom of Lincoln into that family.

In the fifteenth of king John, John de Lacy engaged to pay to the king seven hundred marks, in the space of four years, for livery of all his lands as inherited by his father, and to be discharged of all his father's debts due to the exchequer; obliging himself by that oath, in case he should ever fall from his allegiance, and adhere to the king's enemies, all his possessions should be forfeited to the crown. It was also by this agreement stipulated, that the king should retain the castles of Pontefract and Dunnington in his own hands, and that John de Lacy should allow forty pounds per Annum, for the custody of them.

Under the influence, and by the direction of Archbishop Langton, a number of barons associated for the purpose of obtaining a redress of grievances. The archbishop had found a copy of the charter granted by Henry I. on his accession to the throne. He shewed this to the barons, who engaged, to obtain a renewal of it, and a full restoration of the laws of Edward the Confessor. They collected their forces, and ultimately obtained the famous charter,

called *Magna Charta* *, which is considered as the foundation of British liberty.

The barons, who had obtained this important charter, were too wise to leave this work unfinished. They knew too well the king's character, to think that he would ever agree to the performance of this charter, unless compelled by necessity. They chose twenty-five of their number to see the charter carried into execution. John de Lacy was chosen one of this number; and on their cantoning the kingdom among themselves, he had Yorkshire and Nottinghamshire allotted for his share.

The barons, in this struggle for liberty, incurred the displeasure of the pope. John having disgracefully given the crown to the see of Rome, and now holding it as a fief of St. Peter, was considered as a dear son of the church, while the wicked barons were doomed to suffer all the penalties which the church could inflict. They were solemnly excommunicated, and all the pious were separated from them. This had such an effect on John de Lacy, that on obtaining letters of safe conduct, he went to the king and made his peace.

In the first of Henry III. Lewis, the son of Philip, the king of France, who had been invited † by the barons, to come and accept the crown, being expelled by the prudent conduct of the great Earl of Pembroke, the regent, John de Lacy was admitted to favour. He, together with many other English

* This important charter ascertained the reliefs for earldoms, baronies, and knights fees, which had been arbitrary; it stipulates, that no aid, scutage, or tax should be levied without the consent of the common council of the nation; and that no person should be taken, imprisoned, or disseized of his freehold and liberties, without legal process, and the lawful judgment of his peers.

† MATT. PAR. p. 303, or 30.

nobles*, took the cross, and went to the *holyland*, in the year following. Richard, the king's brother, assisted by John de Lacy and others carried on the war against the Saracens with vigour, and covered with laurels, at length returned. John de Lacy appears not to have continued long abroad, but to have returned with him. We find him among the barons in the great council assembled in the twenty-third of this reign; and in that year he had a grant of the *sheriffalty* of Cheshire, and was appointed governor of the castle of Chester.

He had returns of all the king's writs throughout the wapontakes of Staincross and Osgoldcross, in this county; and obtained the further privilege, "that all merchants and strangers, coming by water to the town of Pontefract, should be free from payment of any toll†.

John de Lacy, died July 22, 1240, and left issue by Margaret his wife, two daughters, and Edmund his only son and heir. The daughters were sent for to court, and educated with the king's own daughters.

Edmund de Lacy, appears to have been at the time of his father's demise under age, and consequently a ward of the king. His great possessions, excited in the queen, the desire of marrying him to one of her own relations. Accordingly, a daughter of the Marquis de Saluces, was brought over from Italy, and Edmund was forced to marry her; a circumstance, which occasioned no little discontent among the English nobility.

In the 35th of Henry III. Edmund obtained a charter for free warren ‡ in all his demesne lands,

* PAL. 21. Henry III.

† ROL. DE ESOR.

‡ Free Warren, is a franchise granted for preservation or

belonging to his honour of Pontefract. He also obtained another charter from the same monarch, for a weekly market, to be held every Wednesday at Tanshelf, within his lordship of Pontefract; and a fair yearly for three days, viz. on the eve, day and morrow of the feast of the Holy Trinity.

Edmund dying in the life-time of his mother, never assumed the title of Earl of Lincoln. He founded the house of the White Friars in Pontefract, and was succeeded by his son and heir,

Henry de Lacy, the last and greatest man of his line. He married Margaret, daughter and sole heiress of William Longespe, son of the Earl of Salisbury. By her he had two sons, Edmund and John. It is said that Edmund was drowned in a well at Denbigh castle; and that John, when young, running hastily upon a turret in Pontefract castle, fell down and was killed. It is scarcely probable, that two children should perish in this manner; and it is more natural to believe that the two accounts have originated from the fall of John, and

custody of beasts and fowls of warren; which, being feræ naturæ, every one had a right to kill as he could; but upon the introduction of the forest laws, at the Norman conquest, these animals being looked upon as royal game, and the sole property of our savage monarchs, this franchise of free warren was invented to protect them; by giving the grantee a sole and exclusive power of killing such game so far as his warren extended, on condition of his preventing other persons. Manwood informs us, "that the hare, the coney, the pheasant and the partridge, were beasts and fowls of warren; and no other. Sir Edward Cooke, mentions as beasts and fowls of warren, roes, rails and quails, woodcocks, mallards and herons. Henry I. granted to Henry Keighly, knight, the privilege of free warren within his own manor," *ita quod nullus ibi terræ illos ad fugandum in eis, vel ad aliquid capiendum quod ad Warrenum pertineat sine licentiâ et voluntate ipsius Henrici et successorum ejus*. Free warren gave to the lord of a manor an exclusive right to hunt and kill the game therein.

the early death of Edmund. He had two daughters, Alice and Margaret; the former of which only survived, and was married to Thomas, son of Edmund, Earl of Lancaster.

Henry de Lacy was the confidential friend of Edward I. whom he seems not a little to have resembled in courage, activity, prudence, and every other quality which can adorn a soldier or a statesman. His services began with the reign of Edward. In the first of Edward he besieged and took the castle of Chartly, in Staffordshire, which Robert de Ferrers had entered and detained by force from Hamon L'Estrange, to whom it had been granted by Henry III. upon the attainder of Ferrers.

In the sixth of Edward I. he granted a * charter to his burgesses of Pontefract, confirming the grants and charters of his ancestor, Roger de Lacy, and also † another charter respecting the right of erecting stalls.

In the year 1290, he was appointed the first commissioner for rectifying the abuses which had crept into the administration of justice, especially in the court of common pleas; an office in which he behaved with the most exemplary fidelity and strictness. He was sent in 1292, Ambassador to France, to demand satisfaction for plundering the English merchants by the subjects of that kingdom.

He obtained a charter in the year 1294, to hold several markets in different places, and among them a market every Wednesday at Pontefract, and a fair upon the eve of Palm-Sunday, and the three days following.

After the death of Edmund Earl of Lancaster, he was appointed commander in chief, of the army of Gascony and Viceroy of Aquitaine.

* Char. 2. Appd.

† Char. 3.

In 1298, he raised the siege of St. Catherine, near Thoulouse, and expelled the French from the confines of that country. In 1299, he led the vanguard, at the memorable battle of Falkirk, in Scotland, in which the Scots lost one thousand two hundred men, and Edward obtained a victory the most brilliant and decisive.

Henry having been long married, and not having any male issue living, did in the twentieth of Edward I. render up his castle and barony of Pontefract, with all the manors, hamlets, and other rights thereunto belonging, into the king's hands; but conditionally it seems, for that monarch, by his charter, dated at Newcastle-upon-Tyne, 28th December, in the twenty-first of Edward I. regranted the castle and honour of Pontefract unto the said Henry de Lacy, and the heirs of his body, with remainder to his royal brother, Edmund, Earl of Lancaster, and the heirs of his body, and for want of such issue to the king and his heirs.

In the year 1294, the king granted him a charter to hold several markets at different places, and amongst them, a market upon every Wednesday at Pontefract, and a fair upon the eve of Palm Sunday, the day and three days following.

In the twenty-eighth of Edward I. Queen Margaret resided at the castle of Pontefract, while the king was engaged in an expedition to Scotland. Several of the nobility who attended her, fond of the chase, went a hunting in the neighbourhood. The Queen, who was then in a pregnant state, took a ride for the benefit of her health; and being drawn on by the sport of the field, as far as Brotherton, was there taken ill, and safely delivered of her fifth son. The royal infant was therefore at the queen's desire,

from St. Thomas of Canterbury, to whom she prayed in her extremity, called Thomas de Brotherton*. He was afterwards by king Edward the second, his brother, made Earl of Norfolk, and the office of marshal of England was conferred by parliament on him, and his heirs male lawfully begotten, which his descendent, the present Duke of Norfolk enjoys. Not far from the church at Brotherton, was a piece of ground of about twenty acres, surrounded with a trench and a wall, where (as tradition informs us) stood the house in which queen Margaret was brought to bed, and the tenants were obliged by the tenure of their land, to keep it surrounded by a wall of stone.

In the parliament of Carlisle, ult. Edward I. Henry de Lacy had precedence of all the peers of England after the Prince of Wales; and after the death of his old master, he seems to have retained the confidence of his son; for in the important expedition of Edward II. into Scotland, he who had shared the triumphs of Falkirk, was spared the disgrace of Bannockburn, by being left protector of England. He died February 5. 1310, aged 60, and was buried in St. Paul's, London.

* In the Cottonian library is a book of grants, beautifully illuminated, among which, there is one of Edward II. giving a commission to Thomas de Brotherton, appointing him his marshal of England. Over this painting is written, *Litteræ, K. Edwardi, constituentis Thomam de Brotherton, Comitum Nottingham Marescallum Angliæ.*

This curious painting is richly embossed with gold and elegantly coloured; the king sits on a light red throne, dressed in a blue robe, lined with ermine; the armour of Thomas is a light blue, except the body, which is painted red; and the lion argent, and the joints of the armour at the elbows, and knees, which are gold; the back ground is a deep sea green; the letter is white; shaded with red, inclosed in a gold square.

Thus terminated the once noble name of Lacy.
Whatever anxiety men may feel to transmit their
name to posterity in that of their children, in a few
generations, it is probable, that very name will be
forgotten.

All has its date below ; the fatal hour
Was register'd in heav'n ere time began.
We turn to dust, and all our mightiest works
Die too : the deep foundations that we lay,
Time ploughs them up, and not a trace remains,
We build with what we deem eternal rock :
A distant age asks where the fabric stood ;
And in the dust, sifted and search'd in vain,
The undiscoverable secret sleeps.

All flesh is grass, and all its glory fades
Like the fair flow'r dishevel'd in the wind ;
Riches have wings, and grandeur is a dream ;
The man we celebrate must find a tomb,
And we that worship him ignoble graves.
Nothing is proof against the gen'ral curse
Of vanity, that seizes all below.
The only amaranthine flow'r on earth
Is virtue : th' only lasting treasure, truth.

SECTION VII.

Inquiry into the conduct and character of Thomas, Earl of Lancaster, commonly called St. Thomas.

THOMAS, Earl of Lancaster, was the son of Edmund, who was the fifth son of Henry III. Henry de Lacy, on the failure of male issue, had bequeathed to his daughter and heiress, Alice, who had married Thomas Earl of Lancaster, all his estates; and on a failure of issue from this marriage, he entailed them on the king and his heirs. Henry de Lacy, who had been the ornament of the court of Edward I. and one of those, whose fidelity and courage had contributed to the glory of his reign, by this entail of his vast possessions, gave a remarkable proof of his strong attachment to the royal family.

Edward II. previous to the death of his father, had given too many indications of that weakness which characterized his reign, to escape notice; and his attachment to Piers Gaveston, the companion of his crimes and pleasures, it was foreseen, would one day become a source of calamities to his kingdom. It is said, that Henry de Lacy, after the death of his old friend and master, Edward I. and the accession of Edward II. particularly charged Thomas, Earl of Lancaster, to watch the conduct of Gaveston, and strenuously to defend the liberties of the people.

Thomas, Earl of Lancaster, with other barons

of public and independent spirit, had soon to contend against this unprincipled minion. Edward II. gave him the earldom of Cornwall; and he disposed of all offices and places according to his pleasure. By his advice all the faithful servants of the late king were removed from their posts, and their place supplied with his creatures.

The favourite could not bear his good fortune with moderation; he became haughty and overbearing, and looked down on the English nobility with the most supercilious contempt. In the splendor of his dress, he endeavoured to outshine, not only the nobility, but even the king himself.

The insults which the barons received, excited them unanimously to seek redress, and to insist on the banishment of Gaveston. The king supported his minion to the utmost of his power, but finding it impossible to vanquish the spirit of the barons, he at length complied with their request, and Gaveston was banished the realm.

He was sent into Gascony, where the king made him a grant of a large estate, and even bestowed the honour of Cockermouth; in England. The king could not endure his absence; and having obtained the assistance of the pope, to absolve him from his engagements, this favourite was recalled.

He was no sooner restored to power, than, forgetting his late banishment, he exercised it in the same wanton manner he had previously done. He appeared to think his authority so well established, that he had nothing to fear from the future attempts of the barons; and he not only neglected to conciliate their esteem and regard, but attacked the character of the leading nobles by personal reflections*.

* He characterized the Earl of Lancaster, by the title of

The prodigality of the king and the favourite soon exhausted the treasury, and a parliament was called to grant an assessment for the supply of the king's necessities. The barons went prepared to destroy the favourite, and to regulate and reform the administration. They insisted that a certain number of their own body should be chosen to correct the abuses of government, and to whom the administration should be given. The persons thus chosen were called *Ordainers*, and among them was Thomas, Earl of Lancaster.

While the king was intent on prosecuting the war against Robert Bruce, the renowned leader and king of the Scots, the ordainers were drawing up ordinances for preserving the peace of the church, collecting the customs, and calling the late collectors to an account; for regulating the court of exchequer, and for redressing all grievances. Piers Gaveston was banished the realm, for having embezzled the king's treasure, procuring blank charters, which he filled up according to his own pleasure, protecting robbers, and arrogating to himself the regal power and dignity.

Edward had no desire to comply with any of these ordinances, and least of all with that which banished his favourite. The barons insisted on his complying with every ordinance; and not having the power to resist, he submitted, and Gaveston was again banished. The king having no sources of enjoyment in his own mind, and being accustomed to draw his pleasure from his favourite; found life insupportable without him. He privately invited him to return, and meeting him at York, restored him to all his honours.

stage player; the Earl of Pembroke, by that of Joseph the Jew; and the Earl of Warwick, he called the wild boar of Ardenne.

The barons, who appear to have formed the design of abridging the prerogatives of the crown, were incensed at this instance of folly in the king, and presumption in the favourite; and having collected troops, the Earl of Lancaster marched with such expedition and secrecy, that he nearly surprized the king and Gaveston in Newcastle, to which place they had retired. Edward not being able to contend with Lancaster, fled to Timmouth, and going on board a vessel with his favourite, put to sea. He landed Gaveston at Scarborough, and having put him in possession of the castle, departed to York. Lancaster was no sooner informed of Gaveston's retreat, than he sent Pembroke, Piercy, and Clifford, with a body of troops to besiege the castle; while he took post with the rest of his army between that place and York, in order to cut off all communication between the king and his favourite. Gaveston, finding himself thus pent up, and the king unable to afford him any assistance, was forced to capitulate, and surrender himself to his enemies. He was conveyed to Dedington, and was taken by Guy, Earl of Warwick, and carried to his castle there.

The Earls of Lancaster, Hereford, and Arundel, repaired to Warwick to decide his fate. They soon came to a determination to put him to death as a public enemy. The next day he was accordingly beheaded, and Lancaster is said to have viewed the head with marks of brutal joy. The news of his death gave general satisfaction, and few beside the king lamented him. He vowed vengeance, and a civil war would have been the consequence, had not common friends interposed, and effected a reconciliation.

It was the misfortune of Edward, that he could not live without favourites. On the death of Gaveston, the Spencers were admitted to enjoy his place; and by a similar spirit and conduct, excited the same general resentment. The ordinances continued to be disregarded, and Lancaster on this account maintained his opposition to Edward. To mortify Lancaster, the Countess was carried off from her house at Caneford, in Dorsetshire, to the castle of Ryegate, by a knight of a most deformed figure, being lame and hunchbacked. He claimed the lady in consequence of a contract previous to her marriage with the earl; alledged he had cohabited with her as her husband; and, by an action brought in the king's court at Westminster, demanded the earldoms of Lincoln and Salisbury, of which she was heiress*.

This singular transaction appears to have been a contrivance of the king; and what must for ever entail infamy on Alice de Lacy, now the countess, she joined in the prosecution. Thomas, Earl of Lancaster, enraged at this

* This lady, the heiress of the family of Lacy, at an early period, was infamous for her amours and intrigues. She was married to Lancaster when only nine years old, and when arrived at the age of nineteen, carried on an illicit amour with the Earl of Warren. He built Sandal castle, near Wakefield, where, having taken the Countess of Lancaster, he detained her for some time. In an affray concerning this lady, between the retainers of Lancaster and Warren, commenced that fatal tragedy in which Sir John Elland, of Elland, and so many other valiant knights lost their lives. Vid. *Watson's, Halifax*, p. 176. and *Whit. Whalley*, p. 146.

This lady survived her husband, and married one Euboule Strange, a man with whom she had before cohabited. She died without issue in the sixty-seventh year of her age, and was buried at the conventual church of Berling.

cruel attempt against his honour and fortune, applied to the king for redress. The king refused to grant his request, and even threatened to punish him for his arrogance and presumption.

Lancaster resolved to do himself right by force of arms, and with that view collected a body of eighteen thousand men. The king, conscious of his own inability to contend with this powerful nobleman, had recourse to the legates of the pope, to ward off the blow and effect a reconciliation. They went to Lancaster, and managed matters so well, that he and the king were once more made friends.

The conduct of the Spencers in seizing some of the castles of the barons, and persuading the king to resume some grants he had made; and especially depriving John de Mawbrey of an estate, which had been bequeathed to him, produced a general union of that body, who were determined to obtain redress. They applied to Lancaster for assistance, the only person who could give effect to their schemes. Thus strengthened, they demanded the restoration of their property, and the removal of the Spencers; and not finding the king ready to comply with this demand, they collected their forces, attacked the castles of the Spencers, laid waste their lands, burnt their houses, and took away their cattle.

Alarmed at the danger of his favourites, Edward issued out a proclamation, commanding the barons to lay down their arms, and to submit their grievances to the decision of a parliament, which should be called. The barons, in the mean time, assembled at Sherburn, near Pontefract, drew up an instrument, and engaged

not to lay down their arms, till they had expelled the Spencers.

After this they marched forward towards London, and fixed their quarters on Clerkenwell-green. They presented their demands to the parliament which was then sitting; and a bill was brought in and passed, banishing the Spencers. This sentence was immediately published, That the Spencers, would be accounted public enemies, if seen in the kingdom after the 29th of August. The barons, on having obtained pardon for their proceedings, dismissed a part of their forces, and returned to their own estates; but being doubtful of the king's sincerity, kept themselves in a posture of defence.

A circumstance now occurred, which, in its consequences, proved fatal to Lancaster, and to the cause of the barons. The queen, according to the spirit of the times, going to pay her devotion at Becket's tomb, being near to the castle of Leeds, belonging to Badlesmere, sent her servants to demand lodging for a night. Badlesmere was not in the castle; but his wife told the servants they must go and provide lodging for their mistress in some other place; for without an order from her husband, she would neither admit her majesty, nor any other person, into the castle. The queen not believing that such an answer had been returned, repaired to the gate of the castle, but was rudely repulsed, and six of her attendants slain by the garrison.

This insult, offered to the queen, roused the spirit of Edward. He immediately raised an army and invested the castle, which had it been supplied with provisions, was well furnished with every other requisite for a long siege.

The lords of the marches considered this as a commencement of hostilities, and collected their troops in order to raise the siege. Lancaster refused to support them, considering that such an insult, offered to the queen, ought to be avenged, and her honour vindicated. The castle surrendered at discretion, and the governor, and eleven principal officers were executed.

The king encouraged by this success, recalled the Spencers, and set the barons at defiance. Lancaster was no sooner apprized of this event, than he inveighed with vehemence against the arrogance of the favourites, and the perfidy and baseness of the king, who sacrificed his honour to gratify his ruling passion.

Determined to oppose this violation of the late statute, he summoned the barons in his interest to meet him at Doncaster, on the 29th of November; and circular letters were sent over all the kingdom, representing the danger to which the nation would be exposed by the return of the Spencers,

Many of the barons had espoused the cause of Edward against Badlesmere, in order to vindicate the honour of the queen. This circumstance strengthened the king's party, and contributed to the fall and ruin of Lancaster and his friends; for deserted by many, on whose support he had relied, he was unable to maintain the contest. The king having subdued the castles in the west marshes, advanced to attack Lancaster.

In the mean time, Bruce, the king of Scotland, invaded Northumberland, and Lancaster, conscious of the weakness of his party, resolved to conclude an alliance with him; and for this

purpose sent Mawbrey and Clifford with proposals. Bruce embraced this overture with alacrity, and the barons encouraged with a prospect of assistance, laid siege to the castle of Tickhill, belonging to the crown. Edward came to its relief, and Lancaster drew his forces together, determined to hazard a battle; but when he saw the vast superiority of the king's army, he judged it more wise to retreat north, in hope of being reinforced by his Scottish allies.

To oppose the Scots, Simon Warde, governor of York, and Harcla, governor of Carlisle, had united their forces near Boroughbridge. Edward, detached the Earls of Surry and Kent after Lancaster, invested the castle of Pontefract, where Lancaster had intended to have defended himself*, but being threatened with death by Clifford, had gone north. The castle of Pontefract surrendered to the king on the first summons; and at Boroughbridge, Lancaster found the passage guarded; and was under the necessity of either surrendering himself to his enemies, or of hazarding an engagement, and by fighting his way, escape to Scotland. He endeavoured to force the bridge, but failed in the attempt. Harcla, being reinforced in the night by the sheriff of Yorkshire, with the posse comitatus, entered next morning the town and took Lan-

* LELAND informs us, "that Lancaster and the lords, met in the house of the *Black Fryers* at Pontefract, to consult what they ought to do. They advised him to march north to Darstanburgh, one of his castles in Northumberland; while he declared his resolution to stay at Pontefract. On this, Roger de Clifford drew his dagger, and swore he would kill him, unless he went with them." Col. Vol. I. 667.

caster, and above a hundred barons and knights, beside many gentlemen, prisoners.

The king being at the castle of Pontefract, when he heard of this event, sent orders for Lancaster, and some others, to be brought to him. The third day after their arrival, the king sitting himself in judgment, with Edmund, Earl of Kent, his brother, the Earls of Pembroke and Warren, Hugh Spencer, created Earl of Winchester and others, sentence of death was passed on Thomas, Earl of Lancaster, to be drawn, hanged, and beheaded as a traitor. The king remitted the two first punishments, in consideration of his being a prince of the royal blood.

It is related, that when he was brought as a prisoner to Pontefract, he was rudely insulted by his own vassals, and called, king Arthur; a name, which it is said, he had once ironically applied to Edward. He was put into a tower, which Leland *

* The following account of this matter, extracted from the *Chronique of William de Pakington*, is contained in the 1st vol. *Lel. Col. p. 461, &c.*—About this tyme Henry Lacy Erle of Lincoln dyed, and charged Thomas of Lancastre his sunne yn law and heyre, that he should maynteine his quarelle agaynst Peter Gaveston. Be whos meanes after, and the Counte of Warwikes, was Pers Geveston behedid at Gaverishith by Warwick the xxix of Jun yn the yere of our Lord 1312. King Eduarde lamenting and desiring God that he might ons be revengid of Peter Gavestons dethe.

The Nobles of England seing the infinite covetousness of the Dispenser, came to Thomas of Lancastre to treate a meane for it, And after of one assent made assemble at Shiirburne yn Elmede. And sending the Kings supplication, and not hard, the Barons went into the Marches of Wales, and destroyid the Dispensars landes. Then King Edward, at the motion of the Dispensars, banishid John Mountbray, Roger Clifford, Goseline Dainville, and dyvers others. And after the Barons calid by brief to a parliament cam with 3 battayles in order, having ten colourid bandes

says, he had newly made towards the abbey. It is most probable, this was the tower afterwards called

on they sleves, whereof it was caullid the parlement de la Bende. and yn this company were Humfre de Boun Counte of Hereforde, Syr Hugh de Audeley, Sir Roger Damare, &c. &c.

The Barons hering (the King had taken the Castle of Leeds) both the Mortymers toke Bridge-north, for which the King banished, by proclamation, Thomas of Lancastre and Humfrede Boun with al theyr adherents.

And after the King cumming agayn his Barons with a strong hoste, both Mortymer the uncle, and Mortymer the nephew, put them self yn the Kinges grace, and were sent to the Toure of London.

The Barons hering this cam to Pontefract, to Thomas of Lancastre, and there gathering theire poure, assauted the Kinges castel of Tickille, but not wyning it.

And hering of the Kinges hoste, went to Burton spon Trente, keping the Bridge to let the Kinges passage. But the Kinge passid perforce, and thens wente the Barons with Thomas Lancastre to Tuttebyri, and thens to Pontefract. And yn this gorney Syr Roger Dainmore dyed yn the abbay of Tuttebyry.

After this Thomas Lancastre and the Barons counselid together in Blake Freres in Pontfracte, and the Barons concludid to go to Dunstanburg, a castel of Thomas Lancasters in Northumberland: but he utterly refusid that counsel, lest it might have be thought, that he had, or wolde have intelligence with the Scottes. Wherefore he intendid to remayne at his castel at Pontfract.

Syr Roger Clyfford hering this, toke out his dagger, and saydo, that he wolde kille him with his oune handes in that place, except he woold go with them.

Then Thomas Lancastre a force granted, and went with them, having in company VII. C. menne to Borowbridge.

To Borowbridge came Syr Andrew he Härkeley Warden of Cairluel and that Marches, and Syr Simon Warde, to encountre with the Barons. Where Thomas Lancastre told Härkeley his just quarel agayne the Dispensers, promising hym, if he would favor his cause, one of the V Countes that then he had in possession. But Herkeley refusid his offre. Then Thomas prophetied that he wold sore repent, and that shortly, so fair, and that he should dy a shameful deth that is to say, to be hangid, drawn and quartered.

Then Härkeley, whom Thomas of Lancastre had afore tyme made Knight, made his archiers to shote, and so did the Barons

Swillington tower*, and which seems to have been designed as a place of close confinement.

upon the bridge. And among al other, one gotte unde the bridge, and at a hole thruste with a launce the renounid Knight thorough oute al Christentye Humfrede de Boun yn the foundement, so that his bowels cam oute. And Syr Roger Clifford was sore wounded on the hedde. And Syr William Sulley and Syr Roger Benefeld were slayne. And then wente Thomas Lancastre into a chapel, denying to rendre hymself to Harkely, and said, looking on the crucifix, "Good Lord, I render myself to thee, and put me yn to thy mercy."

Then they toke of his cote armures, and put on hym a ray cote, or goun, one of his menes lyveryes, and carried hym by water to York, where they threw balles of dirte at hym. And the residew of the Barons part were pursuid from place to place, and to the church hold was no reverence gyven, and the father pursuid the sunne, and the sunne the father.

The King hering of this discomfiture, cam with the Dispensars and other Nobles his adherentes to Pontfract.

Syr Andrew of Herkeley brought Thomas of Lancastre to Pontfract to the Kinge, and there was put in a towre that he had newly mad toward the abbay, and after juged in the haule soderly by thes Justices, Syr Hugh Dispensar the father, Syr Aimer Counte of Pembroke, Syr Edmund Counte of Kent, Syr John de Britayne, and Syr Robert Malmethorp, that pronouncid his judgement.

Then Thomas Lancastre sayd, "Shaul I dy withowt answer?"

Then certayne Gascoyne toke him away, and put a pillid broken hatte or hoode on his hedde, and set hym on a lene white jade with owt bridil, and he than cryed thus, "King of heaven have mercy on me. For the King of Herth nous ad querpi."

And thus he was caryed; sum throwing pelottes of dirt at hym, and having a frere Precher for his Confessor with hym, on to a hille withowte the toun, where he knelid doune toward the este, on tille one Hughinde Muston causid hym to turne his face toward Scotlande: wher kneling, a villayne of London cut of his hedde, 11 Cal. Aprilis anno D. 1321. And after the Prior and the Monkes required his body, and got it of the King, and buried it on the right hand of the hy altare.

LEL. Col. vol. 1. p. 464, &c.

* Part of this tower has been lately cut away, in order to widen the public road. The tower was square; its walls of great

After sentence was passed upon him, he said *Shall I die without answer?* He was not however permitted to speak in his own defence, but a certain Gascoigne took him away, and having put an old hat or hood on his head, set him on a lean white mare, without a bridle. Lancaster then said, *King of heaven have mercy on me, for the king of earth, nous ad querpi.* Attended by a fryer-preacher, as his confessor, he was carried out of the town, suffering the insults of the people, who continued to throw dirt at him.

————Nay then farewell!

I have touch'd the highest point of all my greatness;
And, from that full meridian of my glory,
I haste now to my setting. I shall fall,
Like a bright exhalation in the evening,
And no man see me more.

At length he reached the hill where he was doomed to suffer, and having kneeled down, with his face toward the east, one Hugin de Muston, caused him to turn his face towards Scotland, and the executioner severed his head from his body. The prior and monks having begged his body of the king, took and buried it on the right hand of the high altar, in the church of the priory.

Thus fell Thomas, Earl of Lancaster, the first prince of the blood, and one of the most powerful noblemen that had ever been in England. His death involved many others in the same

strength, being ten feet and a half thick, nor was there ever any other entrance into the interior, than by a hole or trap door, in the floor of the turret; so that the prisoner must have been let down to this abode of darkness, from whence there could be no possible way of escape. The room was twenty-five feet square.

fate; and all their estates were confiscated, and according to the will of the Spencers given to others. Daniel, has made the remark, "That this is the first blood of nobility, that ever was shed in this manner in England, since William I. which being such, and so much as it was, opened veins for more to follow, and procured a most hideous revenge, which shortly after ensued *."

It is difficult to delineate the character of Thomas, as he has been by one party charged with every crime, which can add disgrace to human nature; and by another, not only exculpated, but adorned with every quality, which can add dignity to man. If we judge of the man by his actions, he seems to have been high-spirited and passionate, and wholly destitute of that self-command which accompanies true greatness of mind. The ordinances, drawn up under his influence, and by his direction, exhibit him in the most amiable light, as the advocate and decided friend of liberty, and as the avowed enemy of those prerogatives of the crown, the exercise of which, particularly in a weak reign, was alike injurious to the true interests of the king, and of the people. Time has sanctioned the wisdom and propriety of these ordinances, and no king thinks now of advancing to the highest offices, men to whom a majority of the legislature is confessedly inimical.

It may be doubted whether Thomas possessed any qualities which entitled him to the character of saint; unless his liberality to the religious orders, be admitted as sufficient to constitute

* DANIEL'S Col. of especial affairs of government, p. 180.

such a character. It is said indeed, That many miracles were wrought at his tomb;—that blood continued to issue from it; and that such was the fame of St. Thomas' tomb, that Edward placed a guard to restrain the people. When repulsed from the tomb of the Saint, the people flocked to the hill where he was beheaded, and where afterwards a church was built. Notwithstanding these miracles, it is doing more justice to his character, to consider him as a martyr in the cause of liberty, than to honour him with the apotheosis of a saint.

For, if invaded rights the task demand,
If men behold oppress'd their native land,
By foreign despots, wand'ring far for prey
Who, locusts like, with ruin mark their way;
Or, see their Prince direct the nation's helm,
In ruin's surge, his people to o'erwhelm:
Reward for foulest deeds a venal tribe,
Nor shun to blacken whom he cannot bribe;
Engaged his meanest subjects to defend,
Yet, prove their tyrant, rather than their friend;
On pow'r despotic, rear a rush-built throne:
And, crown'd for all, live to himself alone:
'Twill then be right to grasp the blazing spear,
Be duty then the banner'd staff to rear,
To dare the fight at freedom's sacred call,
Maintain her rights, or with her bravely fall.

SECTION VIII.

Historical events till the death of Richard II.

IN the moment of triumph, Edward, instead of displaying the god-like virtue of clemency, and conciliating the affection of the barons, manifested the weakness of his mind, by yielding himself up to the passion of revenge. On the day Lancaster was beheaded, the following barons, his adherents, were hanged here*: Lord Warren de Lisle, Lord William Tochet, Lord Thomas Maudate, Henry de Bradburne, Lord Fitzwilliam the younger, and Lord William Cheyney. On the day following, the Lords Clifford, Mawbrey and Deynville, were executed at York, and hung in chains, and considerable numbers in other parts of the kingdom.

While the king remained at Pontefract, he created Andrew de Harcla, Earl of Carlisle, for the good services rendered him in taking the Earl of Lancaster, granted a special charter to him and his heirs male of an annuity of twenty pounds per annum, to be paid by the sheriff of Cumberland for the time being; and also lands and rents in Cumberland and Westmoreland of the value of one thousand marks per annum, and five hundred marks per annum, out of the marches of Wales. This is the first creation of honour, wherein any preamble importing the merits of the person so

* SPEED. 675.

dignified was ever used, and beareth date at Pontefract castle, the 25th March, 1322, (15th Edward II.) being three days after the execution of the above mentioned persons at Pontefract.

According to the will of Henry de Lacy, the castle and honour of Pontefract, with all his other possessions, ought to have descended to Henry, the brother of Thomas, Earl of Lancaster; but Edward for some time kept them in his own hand, and then gave them to his favourite.

The conduct of the Spencers, and the cruelties of Edward, produced a complete change in the public mind; and even those barons, who had assisted against Lancaster, were highly incensed on account of the unequal division made of the spoil. The common people revered the memory of Lancaster, as their patron and protector, and who had fallen in their cause. His character, by being contrasted with that of his enemies, acquired additional lustre; nor could the royal authority itself, restrain the populace from expressing their veneration for him.

The king appears to have been much alarmed with this state of the public mind, and to have apprehended, that some attempts would be made by the Lancastrian party, against his favourites and himself. He had hoped, the death of Lancaster would have been the death of his party; but now found his mistake. He came down to Pontefract, and then went forward to Craven, where the Clifords had great power, to check the spirit of the people, and frustrate the design of his enemies*.

* It appears from "the Fruyt of Tyme," printed by Wynkyn de Warde, 1528, that the king was at "Craven at Scipton, because he should undo the pilgrimages made at the tomb of Lancaster," which threatened to end in an insurrection.

The insults of the Spencers to the queen herself, sister to the king of France, induced her to join the Lancastrian party; and effectually to ruin the Spencers, she went to France, under the pretence of bringing about a peace between Edward and her brother. Being joined by the disaffected barons, and assisted by her brother, she set sail and landed at Orwell, in Suffolk, the latter end of September, 1326. She was no sooner landed, than she was joined by Thomas de Brotherton, Earl of Norfolk, John Bretagne, Earl of Richmond, and Henry Plantagenet, brother and heir of Thomas, Earl of Lancaster, and the chief part of the nobility.

The king forsaken by all his people, was soon seized together with his favourites, the cause of his disgrace and ruin. The Spencers were condemned to be hanged for Robbery, drawn for treason, and beheaded for invading the privileges of the people; and this sentence was executed with the utmost rigour. They were hanged on the common gallows, their bodies cut to pieces and given to the dogs for food, their heads exposed, the elder at Winchester, and the younger on London bridge, where the citizens received it with marks of joy.

We are told their execution was ordered on a Monday, in revenge of the death of the late Earl of Lancaster, whose royal blood was shed upon that day. The Earls of Surry and Arundel, two of the principal lords who beheaded him, now suffered the same fate, with a great many others of the king's party. The king himself was soon after deposed, and after suffering the most unheard of cruelties, was at last most

inhumanly murdered in Berkley castle, with the consent of his queen and son, by the order of the Bishop of Hereford, in the night of the 21st of September, 1327, eight months after his deposition.

The sentence of the late Earl of Lancaster was now reversed, (7th March 1327,) because he was not tried by *all* his peers, and his brother Henry, Earl of Leicester, succeeded him in his honours and estates.

The people still retaining their veneration for the late earl, and the parliament begun on the morrow after the feast of the Epiphany, in the first of Edward III. having vacated and annulled all the proceedings relating to his attainder, began to flock from all quarters once more in pilgrimage to his tomb. The king wrote letters to the pope to solicit the canonization of the said earl, but this favour was not obtained till the following reign. The queen also joined her influence, and wrote to the pope in the king's name, but did not prevail. The people notwithstanding revered him as a martyr, and the king granted a permission in the first year of his reign, dated at York, at the desire of the queen, to make a collection for the building a chapel on the very spot where the earl was beheaded.

All proceedings of attainder against the late Earl of Lancaster, and his adherents, being annulled in parliament, and Henry, his brother and heir, restored to the lands and honours, he was the same year made high steward of England, entrusted with the guardianship of the young king, and captain general of all the king's forces in the marches of Scotland.

In the second year of his reign the king was resident at Pontefract, when he granted full powers to commissioners, dated at Pontefract castle the 22d of August, 1328, to demand of the Duke of Brabant, that he should engage to serve him as well in peace as in war, against any king or prince whatsoever.

In the fourth of Edward III. Henry, Earl of Lancaster, had a confirmation of all his honours and estates, and he died in the nineteenth year of the same reign. He was buried at Leicester, the king, the queen, and almost all the bishops, earls, and barons of the realm honouring his funeral by their attendance.

He was succeeded in his lands and honours by Henry, Earl of Derby, his son and heir. He was absent, at Bourdeaux, at the time of his father's death, having a great command in the king's army there.

In the twenty-third of Edward III. (1349) this Henry was by patent created Earl of Lincoln, and elected into the honourable society of the knights of the most noble order of the garter, then newly formed.

In the twenty-fifth of Edward III. for his prudent conduct and valour in the late wars, he was advanced to the highest pitch of honour by the king's special charter, dated the 6th of March, 1351, viz. to the dignity of Duke of Lancaster*, by the consent of all the prelates

* This is the first duke created since the Norman conquest, except Edward the black prince, who was created Duke of Cornwall fourteen years before. As William enjoyed only the title of Duke of Normandy, previous to the conquest, and his successors were honoured only with the same title, they appeared jealous of advancing any to this dignity, lest they should aspire also to the crown.

and parliament assembled, and was invested therewith by the cincture of a sword, with power to have a chancery in the county of Lancaster, and to issue out writs there under his own seal, as well touching pleas of the crown as any other relating to the common laws of this realm, as also to enjoy all other liberties and regalias belonging to a county palatine, in as ample a manner as the Earls of Chester had within that county. By this charter the earldom of Lancaster became a duchy.

In the thirty-fifth of Edward III. a great pestilence prevailed in England, which carried off numbers of people, and amongst them the Duke of Lancaster, who died thereof at Leicester; upon the eve of the annunciation of the Virgin Mary; and was buried on the south side of the high altar in the collegiate church, founded there by himself. Not having male issue he left his two daughters, Maud and Blanch, by Isabel his wife, daughter of Henry, Lord Beaumont, his coheirresses; Blanch, by virtue of a dispensation from the pope in regard of their alliance, was married to John of Gant, so called from his being born at Gant or Ghent, in Flanders, Earl of Richmond, the fourth son of King Edward III. and on the 16th of July, in the same year, partition was made of all the lands and honours of the late Henry, Duke of Lancaster, between the coheirresses, Maud and Blanch, when John of Gant had been married two years, and having issue, had livery in right of his wife of several lordships whereof her father died seized, viz. and (amongst others) of the castle and manor of Pontefract, with the bailiwick and honour of Pontefract.

Amongst others of which only a list

In the thirty-sixth of Edward III. Maud, sister to Blanch, died without issue, on which John of Gant, in right of his wife, had all the remainder of the lands, &c. that the late Henry, Duke of Lancaster, died seized of, and was advanced to the title of Duke of Lancaster, in parliament assembled, on the thirteenth of November following, by girding with a sword, a cap of fur on his head, with a circlet of gold and pearls. Both he and his heirs for ever, were made free, and all his vassals, or whosoever were tenants on his lands and fees whatever, which were the property of Henry, formerly Earl of Lancaster, progenitor of Henry, late Duke of Lancaster; and it was further granted that the said John and Blanch his wife, and their heirs on the bodies of them the said John and Blanch begotten, and all their vassals, and lands, and fees whatsoever, should be for ever exempted from pannage, passage, paage, lastage, stallage, tollage, carriage, pesage, picage and terrage, throughout the whole kingdom.

The above mentioned Blanch, his wife, died of a great pestilence, then raging in the kingdom, and was buried in St. Paul's cathedral.

In the forty-sixth of Edward III. the Duke of Lancaster married Constance, the daughter and heiress of Don Pedro, king of Castile, in whose right he thenceforth bore the title of king of Castile.

In the fourth of Richard II, happened a dangerous insurrection, headed by Wat Tyler and Jack Straw. The expences attending the French wars, and the prodigality of the court, had exhausted the exchequer; and in order to

procure a present supply, the parliament was obliged to impose a tax of three groats on every person, male and female; above the age of fifteen; and they decreed, that, in raising the tax, the rich should relieve the poor, by reasonable compensation.

This imposition, in consequence of the imprudence of one of the collectors of the tax*, excited the above-mentioned insurrection, which nearly proved the overthrow of the government. The lower class of the people rose against their rulers, committed the most terrible outrages, and took a severe vengeance for all the calamities and hardships with which they had been oppressed.

Become formidable by their numbers, they entered the city of London, and committed great outrages. The Duke of Lancaster at this period was unpopular, and his fine house, called the Savoy, accounted the most beautiful structure in the kingdom, became the object of general resentment. It was instantly assaulted, set on fire, and reduced to ashes. Nothing escaped the fury of the flames. The rich furniture which graced the interior of this place; charters, deeds, and other valuable records belonging to the duke, were all destroyed.

This event spread a general terror through the kingdom, and it was expected that the populace would rise in other places, and be guilty

* The brutal officer, collecting the tax of a poor blacksmith, insisted that a daughter of his ought to pay, as being above the age specified; and to prove the fact, seized the maid and proceeded to acts of indecency, which so enraged the father, that he knocked out the ruffian's brains with his hammer.

of equal violence and outrage. The duke's castle at Leicester was not considered safe. The most valuable goods were removed to the church there; and Lady Constance fled with precipitation towards Pontefract castle, as being a place of greater security. When she arrived here, such was the terror excited, that her own servants refused her admittance. They expected that Wat Tyler and Jack Straw were in pursuit, and that if they received her, they would soon have to endure all the hardships of a siege, or to sustain all the fury of an immediate assault. Lady Constance was under the necessity of proceeding by torch-light to Knaresborough castle, where she was received with the respect due to her rank, and where she remained till the insurrection was quelled; and the duke returned from Scotland.

The vast possessions of the Duke of Lancaster, and his authority over his own tenants, rendered him nearly equal to the king, both in wealth and power. Some of his courtiers buzzed it into the weak head of Richard II. that it was necessary to destroy the duke, before he could enjoy the crown in security. The king guided by the counsel of favourites, entered into a plot, laid by the infamous Trisilian, for accomplishing this design. He had not only devised offences, and already set on foot a private prosecution, but had also fixed the time for the duke's arrest, when he was forthwith to have been arraigned, condemned and executed. But the duke having private information thereof from one who was in the plot, retired to his castle at Pontefract, and put it in the best posture of

defence. He supplied it with men and provisions, and determined to stand upon his guard, if he found it necessary. But the princess Joane, mother to the king, dreading the fatal consequences of this breach, took uncommon pains to effect a reconciliation; which required no little address, as the whole kingdom was greatly dissatisfied with the administration; and the duke, on account of his opposition to the oppressive measures of government, was more than ever the favourite of the people. The princess, though very corpulent, travelled to and from the parties, till she at length accomplished her design, and Richard and the duke became friends.

In the twelfth of Richard II. the duke obtained divers charters, confirming his chancery court and duchy of Lancaster, together with others, giving him for life, the sole jurisdiction and sovereignty within the same, and his honour of Pontefract.

In the seventeenth of Richard II. died Constance, his wife, and two years afterwards he married Catherine Swinford, his kept mistress, and a foreigner. She had been brought up in his house, and waited on his wife Blanch, in whose service she married one Sir Hugh Swinford: her maiden name was Roe, and after Sir Hugh's death, she became the duke's concubine.

The Duke of Lancaster, called John of Gant, died on the third of February, 1399, in the fifty-ninth year of his age, and was buried near his first wife, Blanch, in St. Paul's cathedral. By his death the duchy of Lancaster, and the honour of Pontefract, fell to his son and heir, Henry de Bolinbroke, Duke of Hereford, then in exile. The king, previous to his departure,

had granted letters patent empowering him, though in exile, to sue by attorney for livery of all lands descending to him. But on the death of the duke his father, Richard, by an incredible act of injustice, not only revoked those letters patent, but also decreed that his banishment, which was originally only for six years, should be perpetual. He confiscated all his paternal estate, nay, he even stretched his iniquitous power so far as to condemn to perpetual banishment, one Bonner, the duke's attorney, who had sued in his name for the livery of his lands.

It is not to be supposed that a nobleman of Hereford's character and rank would patiently suffer such a complication of injuries. Possessed of a bold and enterprising spirit, he had often signalized himself, both at home and abroad, and was regarded with respect by the people, and adored by the soldiers. Always cool, and having the perfect command of his temper, he could not be easily provoked to a rash action, or even to use an unbecoming expression. He had likewise the great advantage of being related either by consanguinity or affinity to all the principal nobility of England, and his sufferings made him more than ever the idol of the people. On the other hand, Richard's flagrant injustice had opened every mouth against both him and his government; and the citizens of London in particular, were highly enraged at the injuries done to their favourite. The folly, extravagance and injustice of the king, made them turn their eyes toward the Duke of Hereford, (now by right Duke of Lancaster) as the only person

who could retrieve the lost honour of the nation. With this view they secretly invited him to return to England, promising to assist him in the recovery of his lawful inheritance at the hazard of their lives and fortunes. The duke, thinking this a favourable opportunity (the king being then in Ireland) embraced the generous offer, and with a retinue of about eighty persons landed at Ravenspurgh, in Yorkshire, on the 21st July, 1399, where he was immediately joined by the Lords Willoughby, Ross, D'Arcy, Beaumont, and several gentlemen of distinction, attended by an army of forty thousand men.

Richard now found the whole kingdom was alienated from him; few of the nobles, and fewer still of the people, retained their allegiance. He was at length taken, sent to the tower, and obliged to resign the crown and kingdom to Lancaster. The parliament confirmed the deposition of Richard, on account of his incapacity; and though Lancaster was not the next heir to the crown, yet on account of his blood, and his superior talents, he was considered as the only person worthy to wear it. From the Norman conquest down to this period, the law of descent had not been regularly observed, but the parliament had at times disposed of the crown to any branch of the royal family, which they thought proper. Lancaster's best title rested in this act of the parliament, as expressing the sense of a large majority of the people.

The parliament having deposed Richard, the Archbishops of Canterbury and York, placed Lancaster on the throne, amidst the general acclamations of the people, and Richard was imprisoned in this castle.

Some assert that as soon as he was deposed, Henry sent him from the tower to Leeds castle, in Kent, and from thence down to Pontefract castle. But John Harding*, the old rhyming chronicler of the north, who lived in the same century, and may be therefore supposed to have been better acquainted with the transactions of this country, affirms that he was sent by King Henry IV. to the castle of Leeds, in Yorkshire, from thence to Pickering castle, thence to Knaresborough castle, and from thence to Pontefract castle.

Richard deprived of his crown, and immured within the walls of a prison, now became a prey to his own desponding reflections. Having enjoyed the highest elevation of rank, he was more sensible of his present humiliating condition. Accustomed to command, he found it difficult to obey; and still more difficult to submit to those restraints under which he was laid. Feeling the miseries of a prison, and expecting an unhappy end, he could not avoid the painful reflection, if he had any conscience left, that in the time of his prosperity, he had been deaf to the claims of justice, and steeled to the milder influence of compassion and mercy. The ghosts of those nobles he had unjustly murdered, and the cries of a plundered and an oppressed people, could not fail to haunt his guilty mind. Shake-

- The king then sent King Richard to Leedis
There to be kept surely in previte
Fro' thens after, to Pykering went he needis
And to Knaresburgh, after led was he
But to Pauntfrete last, where he did die
Both therles of Kent and Salisbury
Therl of Huntingdon and Spencers sothely.

HARDING'S Chron.

spear, with his usual propriety, justness and elegance, has described the reflections of Richard in the castle of Pontefract.

I have been studying how to compare
 This prison where I live unto the world;
 And, for because the world is populous,
 And here is not a creature but myself,
 I cannot do it, yet I'll hammer on't.
 My brain shall prove the female to my soul,
 My soul, the father; and these two beget
 A generation of still-breeding thoughts;
 And these same thoughts people this little world:
 In humour, like the people of the world,
 For no thought is content. The better sort,
 (As thoughts of things divine,) are intermixt
 With scruples, and do set the word itself
 Against the word; as thus; Come, little ones; and then again.
*It is hard to come, as for a Camel
 To thread the postern of a needle's eye.*
 Thoughts tending to ambition, they do plot
 Unlikely wonders; how these vain weak nails
 May tear a passage through these flinty ribs
 Of this hard world, my ragged prison-walls,
 And for they cannot, die in their own pride.
 Thoughts tending to content flatter themselves,
 That they are not the first of fortune's slaves,
 And shall not be the last. Like silly beggars,
 Who sitting in the stocks refuge their shame,
 That many have and others must sit there;
 And in this thought they find a kind of ease,
 Bearing their own misfortune on the back
 Of such as have before endured the like.
 Thus play I, in one prison, many people,
 And none contented. Sometimes am I King,
 Then treason makes me wish myself a beggar,
 And so I am, Then crushing penury
 Persuades me, I was better when a King;
 Then am I king'd again; and by and by
 Think that I am unking'd by Bolingbroke,
 And straight am nothing—

The Earl of Salisbury, the Bishop of Carlisle,

Sir Thomas Blount, the abbot of Westminster, and several other persons of power and interest, entered into a conspiracy to dethrone Henry, and restore Richard; and engaged as their tool one Maudlin, who had been chaplain to Richard, and resembled that prince so exactly, in his shape and features, that they thought they could easily impose him upon the public for the true monarch. They clothed him in royal attire, and boldly asserted that he was Richard, who had escaped from prison, and was come to implore the assistance of his faithful subjects. This had considerable effect upon the lower orders, who are generally found soon to forget their complaints, and ready to aid the unfortunate. They flocked to the royal standard, and the conspirators found themselves at the head of an army of twenty thousand men, and marched toward London. Being encamped near the walls of Cirencester, the mayor with a valiant band of about 400 men, boldly attacked a body of the rebels, took some of their leaders prisoners, and dispersed the rest.

This conspiracy is justly supposed to have hastened the death of Richard. Henry could not but perceive, that so long as Richard was living, the factious and discontented would be ever ready to rise under the pretence of restoring him to the crown. To put an end to all future attempts of this kind, Richard was put to death in the castle of Pontefract; but the manner in which he met his fate, is variously reported by historians, though all agree as to time and place.

Fabian and Rapin inform us, "that on Richard's arrival at Pontefract castle, Sir Piers Exton

is related to have murdered the king in the following manner. On the king's arrival at Pontefract castle, he was closely confined in the great tower; soon after Sir Piers Exton, a domestic of Henry's, was sent down with eight ruffians to imbrue their hands in the blood of this unfortunate king. On the day of their arrival, Richard perceived at dinner that the victuals were not tasted as usual. He asked the reason of the taster, and upon his telling him that Exton had brought an order against it, the king took up a knife and struck him on the face, saying, "the devil take Henry of Lancaster and thee." Exton with his eight attendants entering his chamber at that instant, and shutting the door, attempted to lay hold of Richard; he immediately perceived their fatal errand, and knew he was a lost man. With a noble resolution he snatched a halbert, or poleaxe, from the foremost of them, and defended himself so bravely, that he slew four of his assailants. Whilst combating with the rest of the murderers, Exton got upon a chair behind him, and with a poleaxe discharged such a blow on his head as laid him dead at his feet, where the miserable king ended his calamities, on the 14th February, 1399. Before he expired he faintly uttered the following words, "My great grand father, King Edward II. was in this manner deposed, imprisoned and murdered, by which means my grandfather, King Edward III. obtained possession of the crown, and now is the punishment of that injury poured upon his next successor. Well, this is right for me to suffer, but not for you to do. Your king for a time may joy at my

death, and enjoy his desire, but let him qualify his pleasure with the expectation of the like justice; for God who measureth all our actions by the malice of our minds, will not suffer this violence unrevenged."

The above account is most credited, though Stow and other historians say that the most probable opinion is, that he was starved to death by order of King Henry IV, suffering the most unheard of cruelties, keeping him for fifteen days together in hunger, thirst and cold, before he reached the end of his miseries. Polydore Virgil says, "That at all times his victuals were served in, and set before him in the same princely manner as usual, but that he was not suffered to taste any one thing." This account is certainly more consistent with the story which says that King Henry caused his dead body to be brought to London, and exposed in public, both on the road and at St. Paul's church, with his face uncovered, and that no marks of violence were observed upon it. After being exposed three days in St. Paul's, he was interred at King's Langley, in Hertfordshire, but afterwards removed to Westminster Abbey, by order of King Henry V. where his tomb now remains.

The account of his being starved to death, has moreover the advantage of being confirmed by the declarations of the Earls of Northumberland and Worcester, and Lord Piercy. These were the likeliest persons of any to know the truth of the fact, it having been perpetrated in their neighbourhood *. It is however alto-

* To decide in what manner Richard died, whether by the hand of Exton, or by want of support, his tomb in Westminster Abbey was opened in the presence of a respectable body

gether uncertain in what manner he ended his days. In general murders were perpetrated in castles, in such a secret way, that few, if any, excepting such as were employed as agents, knew any thing more concerning them, than what they might learn from public report.

of the members of the Antiquarian and Royal Societies; but as the royal corpse was not disturbed, nor the bandage on the head removed, so as that the skull might be examined, the subject continues yet uncertain. Gough makes the following judicious remarks, "concerning the death of this unfortunate prince. Mr. King (*Archæol.* 4. 314.) notices, it has been accurately enough observed by Hume, "that the account of his having been starved to death, is more consistent with the public exposure of his body after his death, with the face uncovered, (*Holingshed* 3. 517.) in all the places and towns between Pontefract and London, where those that had conveyance of it did stay all night, for we do not find that any external marks of violence were perceived or visible on that occasion.—It was exposed, as Froissart tells us, in Cheapside.—How he died, and by what means," says that circumstantial author, "I could not tell when I wrote this chronicle; but this King Richard dead, was laid in a litter, and set in a chaire covered with baudkin, four horses, all black, in the chaire, and two men in black leading the chaire, and four knights, all in black, following. Then the chaire departed from the Tower of London, and was brought along through London fair and softly, till they came into Cheapside, where the chief assembly of London was, and there the chaire rested the space of two hours. Thither came in and out more than twenty thousand persons, men and women, to see him, as he lay, his head on a black cushion, and his visage open. Some had pity on him, and some had none, but said he had long ago deserved death." But if we consider the temper of the times and of the spectators, and the difficulty in such a croud of discerning with accuracy, not to insist that we may be sure any wound in the head would be carefully concealed, though the face was left open, the conclusion will not be so obvious, as Mr. King imagined from the examination of the skulls in the tomb, at which I was present; and recollect the circumstance of the small cleft on the left side of one of them, mistaken for a fracture, but pointed out to be a suture of the *os temporis*, a part easily concealed, though the face was left open.

Gough's Sepulch. Mon.

SECTION IX.

Historical events till the union of the houses of Lancaster and York.

HENRY IV. from his accession to the throne, and during the whole of his reign, honoured the castle of Pontefract, the paternal inheritance of his family, by his frequent residence: At this period, Scotland was the common assylum of all who were disaffected to the reigning prince; and from this country they readily received assistance, and by making incursions into the northern parts, they disturbed the peace and often threatened to subvert the government. To guard against danger from this quarter, it may be presumed was the principal reason, why Henry so often visited and dwelt at this place. In the first of his reign, he granted a passport for the Earl of March then in Scotland, dated at Pontefract castle, 21st June, 1400.

After the battle of Shrewsbury, in which fell the valiant Piercy, called Hotspur, and near six thousand of the rebels, the king marched to Pontefract, to watch the motion of the Scots and the Earl of Northumberland. He granted a full power to certain persons, to treat with the king of Scotland, which is dated at Pontefract castle, August 6, 1403. On the 15th. of the same month, an act passed at Pontefract castle, requiring an oath from the inhabitants of Northumberland;

that they would not obey the earl of that name any longer, he having joined the insurgents. But we find that soon afterwards on his disavowing his son's conduct, he was pardoned, and committed to safe custody.

In the year 1404, Henry granted full powers to treat with the king of Scotland for the ransom of Mordac Stewart, Earl of Fife, and Archibald, Earl of Douglass, both taken prisoners at the battle of Halladon-Hill, dated at Pontefract, the 6th of July. Also the same year a truce was signed between England and Scotland by the king, dated as above, at Pontefract.

An insurrection being feared in the north, in consequence of its being reported that Richard II. was still alive in Scotland, the king again directly marched to Pontefract, where he no sooner arrived, than the Earl of Northumberland, anxious to keep on good terms with Henry, brought his grand children and nephews as hostages for his loyalty. The king at this time held his court at Pontefract castle.

In the year 1405, an insurrection actually broke out in the north, and Henry again marched to Pontefract, where he granted a power to compound with the rebels for their pardon, dated at Pontefract castle, 25th April, 1405. An order was likewise granted to take and seize the Isle of Man, which belonged to the Earl of Northumberland, who had joined the insurrection. This order is also dated at Pontefract castle, June 3, 1405.

The rebels still increased, and the city of York declared in favour of them; Scroope, Archbishop of York and his party declared the king an usur-

per, and prepared articles of impeachment against him. They raised an army of twenty-thousand men; against whom the king sent the Earl of Westmoreland, and Lord John, Duke of Lancaster the king's third son, but finding the rebels so strong and advantageously encamped, they did not think it prudent to attack them. Westmoreland desired a conference, at which pretending to commiserate the soldiers, who had been under arms the whole of the day, he persuaded the archbishop to agree that their forces might be disbanded. The deluded prelate had no sooner complied, than Westmoreland, who had also dismissed his troops, gave orders to a troop of horse suddenly to return and wheel about, and by this manœuvre took the archbishop and the Earl Marshal prisoners. Westmoreland plighted his faith to them, that they should not suffer in their lives, but meeting the king at Pontefract on his way to York, the prisoners were there brought before him. Henry soon ordered them to appear before a mock tribunal, who condemned them to die, and they were forthwith executed. This is the first instance of an archbishop being tried and condemned by the civil power.

Henry now resolved to take ample vengeance on the citizens of York, for siding with their archbishop, and in consequence directed a mandate, dated Pontefract castle, 3d. June, 1405, in the sixth year of his reign, to two of his officers *,

* The king to his chosen and faithful servants John Stanley and Roger Leeche, greeting:

KNOW ye that for certain special causes, intimately concerning us and the state of our kingdom of England, we do assign you, together or separately, our city of York, together

authorizing and commanding them immediately to seize the liberties and privileges of the city for his use.

In this year also, the Earl of Northumberland, who had been restored by parliament to all his possessions, came at midsummer to the king at Pontefract.

The Earl of Northumberland, notwithstanding the lenity with which he had been treated, continued to foment disturbances, and encourage the spirit of revolt. He, together with Lord Bardolph, being closely pursued, fled from Wales into Scotland, raised a small army and entered England. They took some of the earl's castles; and encouraged by this success they entered Yorkshire. At Thirsk they set up the standard of revolt, and publishing a manifesto, declared their object to be to punish Henry as an usurper. Sir Thomas Rokesby, the sheriff of Yorkshire having assem-

with all and singular liberties, franchises, and privileges to the citizens of the said city, by our progenitors or predecessors sometimes kings of England, or ourself, before this time granted and confirmed, to take and seize into our hands; and the said city thus taken and seized, till further order from us, in our name to keep and govern.

And therefore we command you, or either of you diligently to take heed to the premises, and that you should do and execute them in the manner aforesaid.

Also we command all and singular high sheriffs, mayors, bailiffs, and other officers, and all other our faithful subjects, as well within liberties as without, by the tenor of these presents, strictly to aid and assist you, or either of you, in the execution of the premises, being helpful, advising, and obedient to you as they ought.

In testimony of which, &c.

Witness the King at his Castle of Pontefract the third day of June, 1405, in the sixth year of his reign.

By the KING.

bled a large army, watched all their motions, and on February 19, 1408, brought them to action on Bramham Moor, in which the Earl of Northumberland and Lord Bardolph were both killed.

Henry was on his march when he received the agreeable news of this victory. He came to Pontefract castle, April 8th, and resided there for about a month, employed in trying and punishing some of the unhappy persons, who had been engaged in the late insurrection, and compounding with others for their delinquency. Among those who were capitally punished was the abbot of Hales, because he had been taken in arms.

In the ninth of Henry IV. a truce was granted for one year for Guyenne, signed also at Pontefract castle, the 30th April, 1408.

Henry IV. died at Westminster in the fourteenth year of his reign, and was succeeded by his son, now Henry V.

Henry V. ratified and confirmed all the grants, declarations and franchises, contained in all the former charters granted to this borough, the honour of Pontefract and duchy court of Lancaster, by his letters patent, with the consent and authority of both houses of parliament.

In the year 1415, Henry obtained one of the most splendid victories recorded in the annals of history, over the French at Agincourt, where the Duke of Orleans and several other persons of the highest rank were taken, and by his order sent prisoners to Pontefract castle; nor were they released till the fatal disasters of the following reign had destroyed the English interest in France.

In the third of Henry VI. (1424) the Duke

of Bedford, protector of the realm during the king's minority, enlarged the young king of Scots, James the first, from his imprisonment in Pontefract castle. When a boy, Robert his father, to preserve him from the snares of his uncle, who had murdered his elder brother David, put him on board a vessel, with a design to send him to France; but the ship falling into the hands of the English, he had been detained a prisoner seventeen years. On his release he did homage and fealty for the crown of Scotland.

In the seventh of Henry VI. the king granted a charter, confirming the rights, liberties, customs and privileges of the duchy of Lancaster and honour of Pontefract, dated 4th June, 1428.

The weakness of Henry VI. the arrogance of his queen, and the dissension and quarrels of the court, emboldened Richard, Duke of York, to assert his claims to the crown, and the whole kingdom was divided into two hostile factions, the partisans of the red and white rose, the distinguishing emblem of the houses of Lancaster and York. The contest which followed, spread desolation and slaughter through the land. There were few of the nobility who ended their days in peace. They either fell on the field of battle, or by the hand of the executioner. For the laws which regulate the conduct of nations, who are in a state of hostility towards each other, in civil war have no place; and such as escape the carnage of the sword, when they fall into the hand of their enemies, are doomed to the block. Meek-eyed mercy is unnoticed and unregarded; and the noble and the brave are immolated to the demon of revenge.

It would be foreign to the purpose of this work, to enter into the detail of all the events of this interesting period. Such only can be noticed as are connected with the history of this place. The first battle, in this destructive contest, was fought at St. Alban's, where the Duke of York was victorious. The Duke of Exeter, who had the good fortune to escape the slaughter of that day, fled for sanctuary, to the Abbey of Westminster; but he was taken from thence, and sent a prisoner to the castle of Pontefract*.

After the battle of Northampton, in which the forces of Henry were vanquished, and himself taken prisoner, Queen Margaret fled to Durham. Through the interest of the Earls of Northumberland and Westmoreland, an army was soon collected to support the house of Lancaster. Richard, Duke of York, who had marched to London, and who had, by act of parliament, been declared Henry's successor, hearing of the design of the queen, hastened to meet her with an army of five thousand men. When he reached Wakefield, he was surprised to hear that the queen was advancing against him, at the head of twenty thousand men. He took refuge in Sandal castle, resolved to stand on his defence, till Edward his son should come to his assistance. Margaret, by a successful stratagem, induced him to venture on a general engagement. Having detached a considerable body of troops, who lay in ambush, the Duke of York rushed forth, and commenced a violent attack on the main body of the queen's troops; but those in ambush coming upon his rear, the most determined valour on his part was unavailing.

* Stowe, p. 400.

This battle, called the battle of Wakefield, was fought on the 21st December, 1460, in which Richard Plantagenet, Duke of York, was killed, the Earl of Salisbury was dangerously wounded, taken prisoner, and in a very bleeding condition sent to Pontefract castle, where he was beheaded along with Sir Ralph Stanley, Sir Richard Limbricke, Captain Hanson, then Mayor of Hull, Mr. John Harrow a valiant gentleman, and several other persons of distinction, whose heads were exposed on the gates and towers of York. The head of the Duke of York was severed from his body, and being put upon a long pole, was placed on the top of Micklegate-bar, on which Clifford at the instigation of the queen, placed a crown of paper in derision of his title, with his face towards the city.—Shakespear makes the haughty Margaret opprobiously order,

“ Off with his head, and set it on York Gates;

“ So York may overlook the town of York.”

The duke's body was brought and interred in the church of the priory at Pontefract.

The triumph of Margaret, and the house of Lancaster, was disgraced by the cruelties they exercised on their enemies. Instead of improving the victory by rapid advances towards the capital, they spent their time in the execution of their prisoners. Edward, Earl of Marche, son of the Duke of York, who had raised a strong body of forces, on the borders of Wales, when he heard of the defeat and death of his father at Wakefield, marched for London; and after encountering a party of the enemy, which he totally routed, he reached the capital. The citizens declared for him, and he was crowned king, by the title of Edward IV.

In the mean time Margaret was not inactive. She had collected an army of sixty thousand men. Edward, conscious that success frequently depends on prudence and celerity, at the head of about forty thousand men, set out from London March 12, 1461, scarce resting till they came to Pontefract, where they encamped, the king residing in the castle, and his army around him. The day after his arrival, Lord Fitzwalter was detached to seize the pass at Ferrybridge, upon the river Aire, who executed the order with equal celerity and success. Henry understanding Edward had gained and guarded the pass at Ferrybridge, sent Lord Clifford with a party of light horse to dislodge him; who made such expedition that he attacked him on the night of the 28th, with superior numbers, and drove him thence with great slaughter. Clifford found the guards asleep, and not in the least expecting the approach of an enemy. The Lord Fitzwalter, awakened by the noise, supposing it to arise from some tumult amongst his own men, jumped out of bed, and with only a battleaxe in his hand, went to appease them. But too late aware of his mistake, the bastard of Salisbury and himself, both lost their lives in the action *

Warwick was no sooner informed of the issue

* There was found in digging a grave in Brotherton church yard, May 21, 1781, a chalice, very much mutilated, and its lid, a spur and part of a stocking. These most probably belonged to one of the lords slain at Ferrybridge, before the battle of Towton, on Saturday the 28th of May, 1461.

It was usual to inter the lords who fell in this contest, near the place where they were slain; and it is not improbable, that the chalice, spur and stocking might belong to Fitzwalter. *Archæol.* Vol. ix. 55.

of this rencounter, than alarmed at this misfortune, and dreading the consequences at so critical a juncture, when a general battle was every moment expected, he rode with the utmost speed of his courser to the castle of Pontefract, and spoke to the king, who was reviewing his troops, as follows, "Sir, I pray God have mercy on their souls who in the beginning of your enterprize have lost their lives. I see no succour but in God, to whom I remit the vengeance." On which he had recourse to a measure as brave as extraordinary. Alighting, he instantly stabbed his horse in the sight of the whole army, saying, "Let him flee that flee will, I will tarry with him that will tarry with me." So saying, he kissed the cross on the hilt of his sword in confirmation thereof, and swore he was firmly resolved to share the fate of the meanest soldier, and die in the field or conquer.

This noble declaration of an officer so idolized by all the soldiery, awakened in every breast an insuppressible ardour; and in order to inspire them with greater courage, Edward issued a proclamation, "That every man who was unwilling to stay, or was afraid to fight, had leave to depart," but denouncing the severest vengeance against those who in the ensuing action should betray the least sign of treachery or cowardice. He commanded such to be slain by his own men, and promised that they who executed this command should receive a great reward, besides double pay. But they cried out as with one voice to be led on, declaring their resolution to gain the day, or die at the feet of their king and general.

The valiant Lord Falconbridge, with his friend

and companion in arms, Sir Walter Blount, undertook to regain the pass at Ferrybridge; and crossed the river at Castleford, in order to inclose the troops under Lord Clifford, then laying on Brotherton marsh, which Clifford perceiving drew off his men and retired in great haste to the main body. In his retreat he fell in with a party of the enemy, and whether it was by accident, owing to the confusion into which they were thrown on the approach of Lord Falconbridge, or from some other cause, he had either put off or lost his gorget, when an headless arrow, from one in ambush, pierced through his throat, and immediately put a period to his life. Thus died the implacable Clifford, one of the most inveterate foes of the house of York. The Lancastrians no sooner beheld their leader dead, than they fled with the utmost precipitation.

John Lord Clifford, who was born April, 8, 1430, held the title and estates five years, eight months, and seven days. His hands were early dipped in blood; for he was engaged in the civil war of the houses almost three years before his father's death. In the second battle of St. Alban's, the king was brought to meet the queen in Clifford's tent. This nobleman, partly from the heat of youth, and partly in the spirit of revenge for his father's death, pursued the house of York with a rancour which rendered him odious even in that ferocious age. His supposed slaughter of the young Earl of Rutland in, or perhaps after, the battle of Wakefield, has left a deep stain upon his memory; and his own untimely end, which happened the next year, is remembered without regret. In the

MS memoirs of the family at Appleby this is said to have happened at Deindingdale, a place unnoticed in any map; but a respectable friend, resident near this place, has discovered the evanescent and almost forgotten name of Dittingdale, in a small valley, between Towton and Scarthwell. Here therefore, John Lord Clifford, fell. The place of his interment is uncertain; but the traditional account of the family is probably true, that his body was thrown into a pit with a promiscuous heap of the slain. Dittingdale is so near the field of Towton that it proves at least the advanced posts of the two armies to have been close to each other on the evening preceding the battle*.

The next morning by day break the army begun its march from Pontefract, headed by the king and the Earl of Warwick, and advanced towards the Lancastrians, who, to the number of sixty thousand, occupied the fields betwixt Towton and Saxton, and about nine o'clock on Palm Sunday, the 29th March, 1461, the two armies met, when a desperate battle ensued. Whether it was because the enemy were so much superior in numbers, or out of revenge for the cruelties exercised by them at the battle of Wakefield, Edward published an order throughout his army, that his soldiers should not encumber themselves with prisoners, which seems to have been the principal cause of the carnage of that day. In the beginning of the battle, whilst the Yorkists were advancing to the charge, it began to snow, and a sharp wind drove the sleet full in the face of the Lancastrians, and

* WHITAKER'S Craven, p. 224.

disordered their sight in such a manner, that they could not discern the just distance between themselves and the enemy. The Lord Falconbridge, an old and experienced officer, made an admirable use of this accident. He commanded the van, and ordered his men to advance as near the enemy as they possibly could, and discharge a volley of arrows upon them; and then to retire with all speed out of the reach of those of the enemy.

This stratagem had a wonderful effect, the Lancastrians galled by this attack, and thinking their enemies were not many yards distant, and on account of the snow, not perceiving them fall back, plied their bows till their quivers were emptied without doing the least execution, the Yorkists all the while keeping theirs in reserve. Lord Falconbridge judging their shot was nearly spent, and seeing them advancing sword in hand to begin a close fight, advanced again with his archers, and gave them another furious discharge, which obliged them to fall back to the main body, where they now assailed them without opposition, and slew a great number with the very shafts they picked up from the field after their own quivers were empty. The Lancastrian generals, finding the disadvantage they laboured under in this way of fighting, pressed on to nearer combat, and then the battle became firm, obstinate and bloody. The sword decided the fate of the day, which after ten hours obstinate fight, with equal and unremitting fury, ended in the total defeat of the Lancastrians.

Edward pursued them towards Tadcaster with such impetuosity, that numbers were drowned

in attempting to pass the narrow, but deep, river Cock, which lay in their way. Many miles of the country round were stained by the blood of thirty-six thousand seven hundred and six Englishmen, who were slain by the hands of Englishmen*.

The Earl of Devonshire, who had but lately espoused the cause of Henry, was the only prisoner taken. Edward marched directly to York, hoping to find Henry and Margaret there; but they had set out for Scotland before his arrival. He immediately ordered the heads of the Duke of York, his father, and the Earl of Salisbury to be taken down and interred with their bodies, and that of the Earl of Devonshire, who was beheaded by martial law, to be put in their stead.

Edward being established on the throne, prepared to discharge the duties of a son, by taking up the corpse of his father, and honour-

* In the Paston letters, the number of those who fell, is stated to have been twenty-eight thousand men. This appears to have been a copy of a letter, sent by Edward to his queen, to inform her of this happy event.

"On the king's part, Fitzwalter and Lord Scroop wounded, J. Stafford and Horne of Kent were killed."

"On the enemies part killed at Ferrybridge, the day before the battle, Lord Clifford. Then fell in the field of battle, H. Pietcy, Earl of Northumberland, R. Wells, Lord Willoughby, Sir Ralph Bigot,

T. Courtney, Earl of Devon,
Viscount Beaumont,

Lord Neville,

— Dacre,

— Clifford,

— Stafford,

Lord Wells,

— Gray,

Sir Richard Jeney,

Sir Harry Belingham,

Sir And. Trollop;

With twenty-eight thousand
men, numbered by heralds.

FENNS, Lett. first Edward IV.

ing it with a splendid and magnificent funeral. The form of this funeral is thus described, by Sandford, from a manuscript preserved in the college of arms.

On the 22d July, 1466, his bones were removed from the church of the priory of St. John, at Pontefract, and put into a chariot covered with black velvet. They were richly wrapped in a cloth of gold, and royal habit. At the feet of the corpse stood a *white angel*, bearing a crown of gold, to signify, *that of right he was king*. The chariot was drawn by seven horses, trapped to the ground, and covered with black, charged with escutcheons of the said prince's arms. Every horse carried a man, and on the foremost rode Sir John Skipwith, who bare the banner of the prince displayed.

All the bishops and mitred abbots honoured this solemnity by their attendance. Dressed in their pontifical robes, they went two or three miles before the procession, to prepare and consecrate the churches for the reception of the corpse of the prince. Richard, Duke of Gloucester, followed next after the chariot, accompanied by the principal noblemen of the kingdom, and a number of officers at arms. In this order the procession departed from Pontefract, followed by an immense concourse of spectators, and the first night they reached Doncaster; and from thence proceeded by easy journeys to Blythe, Tuxford, Newark, Stamford, and then to Fotheringay, where they arrived on July 29.

Edward IV. the queen, and officers of state, met the procession as it entered Fotheringay. They proceeded into the church, near to the

high altar, where there was a hearse covered with black, and furnished with a number of banners, bannerols and pensils; and under the said hearse, were laid the bones of the prince and his son Edmund. Over the hearse was a cloth of majesty, of black sarcenet, with the figure of our Lord sitting on a rainbow beaten in gold, having in every corner escutcheons of the arms of England and France quarterly. Around the hearse was a valance of black sarcenet, fringed half a yard deep, on which were three angels of beaten gold, holding the arms within a garter.

Upon the 30th several masses were said, and then at the Offertory of the mass of requiem, the king offered for the prince, his father; the queen and her two daughters offered afterwards; then Norroy, king at arms, offered the prince's coat of arms; March, king of arms, the target; Ireland, king of arms, the sword; Windsor, herald at arms of England, and Rovenden, herald at arms of Scotland, offered the helmet, and Mr. de Ferrys the harness and courser*.

In the year 1470, the Earl of Warwick and several others, having taken up arms, proclaimed Henry king, and assuming the government in his name, obliged Edward to fly to Holland for safety†. Here he endeavoured to collect some forces, and landing at Ravenspurgh with twenty

* Bib. Top. Vol. VI. Fotheringay.

† In the Paston letters there is an account of several persons who were taken and confined in Pontefract castle. "John Pilkington, Mr. W. at Cliff, and Fowler are taken, and in the castle of Pontefract, and are like to die hostily. Sir T. Montgomery and Jourdane be taken, what shall fall of them I cannot say."

FENNS. Lett. Vol. II. p. 45.

thousand soldiers, gave out that he only came to claim his dukedom of York. He arrived at York, on the 19th March, 1471, where he was well received as Duke of York, but not as king. Having got possession of the city, he assumed the regal title, and began his march southward. Warwick sent orders to his brother the Marquis Montacute, who then lay at Pontefract with a great army, to march immediately and fight him; but one would suppose the marquis was all this time asleep, as he never once attempted to oppose him in his march. Edward, conscious of the strength of his enemies, wished to avoid a battle if possible till his friends had joined him. The irresolution, not to say cowardice or treachery of Montacute, suffered Edward to pass the river Aire, at Castleford, without the least resistance. The battle of Barnet soon after fixed Edward once more on the throne for life.

In the fourth of Edward IV. a safe conduct was granted to John Lord de Lanoy of France, at the request of the Duke of Burgundy, dated at Pontefract castle, the 10th December, 1463.

On the 26th September, (nineteenth Edward IV.) 1478, Edward made a progress into the north, accompanied by a very numerous suit of dukes, marquisses, earls, barons, and a great croud of other courtiers. He was met on his journey by all the public officers and gentry of these parts, amongst the rest by the lord mayor of York, and many of the richest citizens, who went as far as Wentbridge to meet him, and escorted him to Pontefract, where the king remained a week, and then set off for York.

Edward the IV. died on the 9th April, 1483,

and was succeeded by his elder son Edward V. Edward was only in the thirteenth year of his age, at the death of his father. He was immediately proclaimed king; and kept his court at Ludlow castle, being under the tuition of Anthony Woodville, brother to the queen of Edward IV. He had been advanced to the dignity of a baron, by the title of Lord Scales, and was afterwards honoured with the title of Earl of Rivers. He became a most distinguished warrior and statesman; and was accounted one of the most learned men of the age. The friends of the queen enjoyed all the offices about the person of young Edward.

The court had been divided into two factions, during the reign of Edward IV. The old nobility were headed by the Duke of Buckingham, and the queen's friends by Earl Rivers. Richard, Duke of Gloucester, had the address to secure the friendship of the queen and her party, by outward marks of respect, while he entered into a secret agreement with Buckingham and his party. On the death of his brother, Richard laid claim to the office of protector; and insisted on it as his right. Earl Rivers, Sir Richard Grey, and Sir Thomas Vaughan, aware that the Duke of Gloucester, would attempt to seize the person of young Edward, and assume the government of the country in his name, raised a body of troops for his defence. Gloucester, by pretending a regard for his nephew and the welfare of his country, so far imposed on the queen, that she gave orders to her brother, Earl Rivers, to dismiss the forces he had collected, and to bring his nephews to Westminster.

In obedience to her orders he set off, but when he had reached Northampton, was met by Gloucester and his friends, who seized the young king and his brother, and sent Earl Rivers, Sir R. Grey, and Sir Thomas Vaughan, under a strong guard, prisoners to Pontefract castle.

Sir Richard Radcliffe was governor of the castle, a creature of Gloucester's, and every way qualified for the perpetration of deeds of cruelty and blood. On the 15th June, first of Edward V. he went to York, and delivered a letter from the duke to the lord mayor, requesting him to raise forces to aid and assist him against the queen and her adherents; and it was agreed that such forces as the city could raise on such a sudden, should be on the Wednesday night then next at Pontefract, where the Earl of Northumberland waited to conduct them and others to London.

Richard, true to his purpose of seizing the throne, on the day that Edward V. should have been crowned, when they met in the tower, pretended Lord Hastings and others had assaulted him in order to murder the king and subvert the government, and commanding him immediately to be beheaded, the coronation was put off till, as he pretended, this alarm had ceased. He had, however, so ordered and arranged his plans, that on that very day Earl Rivers, his uncle, and other friends, in Pontefract castle, were executed, without any crime being proved against them.

The following is the account that Grafton gives of this transaction. "Nowe was it devised by the protectour and his counsaile, that the same day that the Lord Hastings, chamberlayne,

was headed in the tower of London, and about the same hour should be beheaded at Pounfrete, the Earle Rivers, and the Lord Richard, the queens son, Sir Tho. Vaughan and Sir Richard Hawte; whiche execution was done by the ordre, and in the presence of Sir Richard Racliff knight, whose service the protectour specially used in the execution of such lawlesse enterprises, as a man that he had been long secrete with, having experience of the worlde and shrewed wytte, shorte and rude in speech, rough and boysterous of behaviour, bold in mischief, as far from pytie as from fear of God."

" This knight brought these four persons to the scaffold at the day appointed, and shewed to all the people that they were traitours, not sufferying the Lords to speake and declare their innocency, least their wordes might have inclyned men to pytie them, and to hate the protectour and his part, and so without judgement and processe of the lawe caused them to be beheaded without other yearthly gylt but only that they were good men and true to the king and to nye to the queen, insomuch as Sir Tho. Vaughan going to his death sayd, A wo worth them that tooke the prophecy that G. should destroy King Edwards children (meaning Lord G. Duke of Clarence) which for that suspicion is now dead, but nowe remayneth Richard, Duke of G. whiche nowe I see is he that shall and wyll destroy kyng Ed. children and all their alyes and frendes, as appeareth by us this day, whom I appele to the highe tribunal of God for his wrongful murther and oure true innocencye, and then Racliff sayd, you have well apeled, lay downe

your head, ye sayd Sir Tho. I dye in wright, beware you dye not in wrong, and so that good knight was beheaded and the other three and buried naked in the monastery at Pounfrete."

Many a crime, deem'd innocent on earth,
Is register'd in heav'n; and these no doubt,
Have each their record, with a curse annex'd.

Richard having seized the crown and usurped the throne, by the title of King Richard III. in the second year of his reign granted a charter to this town, whereby he incorporated it, and appointed John Hill the first mayor thereof, in July, 1484. This charter was confirmed by parliament the 9th of August following.

Richard, who, to the most consummate hypocrisy, added the most ferocious cruelty, and ascended the throne by the murder of his king, was not permitted to enjoy it long in peace. The Duke of Buckingham, a character equally depraved as his own, by whose assistance Richard had hitherto met with success, soon formed a scheme to dethrone him, and unite the houses of York and Lancaster. Thus it frequently happens that associates in guilt, become the instruments of each others punishment; and the ways of providence are justified in rendering to them their deserts.

The scheme devised met with general approbation; and measures were soon adopted to carry it into execution. Buckingham lost his life in the first attempt, and many of his friends were taken and executed. Richmond, the heir of the house of Lancaster, not discouraged by this event, but having collected some troops in France, at length landed at Milford-haven.

The people flocked to his standard, and he soon found himself at the head of an army sufficiently powerful to encounter Richard.

The two armies met at Bosworth, where Richard lost his crown and his life. This battle was fought on the 22d August, 1485. At this time was also slain the above mentioned Sir Richard Ratcliffe, the governor of Pontefract castle, with many other persons of rank. The crown being found in the field of battle, Lord Stanley put it upon the head of Richmond, who was immediately proclaimed king, by the title of Henry VII. amidst the acclamations of the whole army; and, by his marriage with the princess Elizabeth, he put an end to the dreadful contests of the kingdom, by the union of the houses of York and Lancaster.

No more the thirsty entrance of this soil
Shall damp her lips with her own children's blood :
No more shall trenching war channel her fields,
Nor bruise her flowrets with the armed hoofs
Of hostile paces. Those opposed files,
Which like the meteors of a troubled heaven,
All of one nature, of one substance bred,
Did lately meet in the intestine shock
And furious close of civil butchery,
Shall now, in mutual, well-beseeming ranks,
March all one way ; and be no more oppos'd
Against acquaintance, kindred and allies :
The edge of war like an ill-sheathed knife,
No more shall cut his master.

SECTION X.

*Historical events from the death of Richard III.
till the commencement of the civil war.*

WHEN raised to the throne, Henry VII. might justly have concluded, that as he had no competitors to fear, his reign would not be disgraced by those intestine feuds and animosities which had so long prevailed. He, however, soon found that the spirit of enmity had acquired strength by time, and nothing but the strong hand of power could repress or subdue it. The nobles had been so long accustomed to assume and exercise an authority above all law; and the people to follow them implicitly as leaders and commanders, that the former could, whenever they chose, excite commotions, disturb the peace, and endanger the throne.

Though the houses of York and Lancaster were happily united, by the marriage of Henry with Elizabeth, the same factions still continued, and the friends of the latter naturally expected that the king would reward their fidelity, and restore their forfeited estates and honours. The Yorkists, who had feasted on the spoils of their enemies for near twenty years, and had no wish to relinquish what they had obtained, soon perceived their danger; and by encouraging false pretenders to the throne, and raising partial insurrections, involved themselves in those very calamities they wished to avoid, and lost both their lives and fortunes.

In the second of his reign, Henry made a tour into the northern countries, and visited Pontefract, the ancient patrimony of his family, where he resided some days. He then hastened to York, and while he remained there, an insurrection broke out, headed by the Staffords in the south, and by Lord Lovel in the north, who pursued Henry with a body of three or four thousand troops. This insurrection was soon quelled, and tranquillity for a short season restored.

In the fourth of Henry VII. (1488,) a rebellion broke out in the northern counties, in consequence of a heavy tax imposed by parliament. The people instigated by a popular incendiary, named John a Chambre, a man who delighted in war and plunder, rose in arms; and choosing one Sir John Egremont, a factious partisan of the house of York, they declared they would march to London, and give battle to the king. Henry was no sooner informed of this disturbance, than he sent a body of troops against the rebels, under the command of the Earl of Surry, whom he had lately received into favour. That nobleman marched with all speed against the insurgents, who had reached the village of Ackworth, near this place, on their way to London. On the first attack they were routed, and John a Chambre taken prisoner; but their commander, Sir John Egremont, had the good fortune to escape. John a Chambre and the rebel captains were executed at York; but the rest were pardoned at the intercession of the Earl of Surry, by which he gained the favour of the country.

Henry this year renewed and confirmed the

above mentioned charter of Richard III. to the borough of Pontefract, dated 1st Dec. 1488.

During the latter part of the reign of Henry VII. and the former of that of Henry VIII. few events of importance occur respecting this place. Henry VII. had the felicity to have outlived the spirit of faction, and to leave the kingdom in peace. In the course of his reign he had amassed much wealth, of which his son and successor, Henry VIII. was extremely prodigal. His amours and intrigues, his cruel and unjust treatment of those he denominated his wives, ultimately led him to quarrel with the pope, and to encourage the reformation.

Henry had emptied his coffers by extravagance and dissipation. Some measure was necessary to relieve his pressing wants; and the spirit of the times according with his inclination, he determined to seize the wealth of the religious, and wholly to suppress the monastic orders. The authority which the pope had hitherto enjoyed, Henry assumed and exercised; and he and his successors were declared to be the supreme head of the church of England.

The religious orders could not behold with indifference the gathering storm, which threatened to overwhelm their elegant mansions, and their richly ornamented temples; and to strip them of all that wealth which had been conferred by the piety or superstition of past ages. They were not disposed to give up their all without a struggle; and had not various circumstances favoured Henry, this struggle might have proved fatal to his crown and life, and also to the reformation in this kingdom.

On the establishment of the king's supremacy, and the allowing of the service of the church to be read in English, in the year 1536, the spirit of disaffection and revolt particularly appeared in the counties of Lincoln and York. Most of the heads of religious houses took up arms in defence of the church and their own orders; and a body of forty thousand* men was soon collected, well furnished with arms, horses and artillery. Sir Robert Aske, of Aughton, was chosen commander. This formidable army, animated with all the enthusiasm of religious zeal, surrounded the castle of Pontefract, and obliged Thomas Lord D'Arcy and the Archbishop of York, who were therein, to deliver it to them. These insurgents called themselves the "Pilgrimage of grace." Lord D'Arcy and the archbishop took their oath, viz. "To enter into the pilgrimage of grace for the love of God, the preservation of the king's person and issue, the purifying of the nobility, expelling all evil blood and evil counsellors, for no particular profit to themselves, nor to do displeasure to any, nor to slay nor murder any for envy; but to put away all fears and to take afore them the cross of Christ, his faith, the restitution of the church and the suppression of heretics and their opinions." Certain it is, that though Lord D'Arcy and the archbishop pretended want of provisions to hold out the castle, yet they were suspected of favouring the rebels, for they continued with Aske, and were named as two of his deputies to treat for peace. A general pardon being granted, the rebels dispersed, and Aske being ordered

* Sir Richard Baker says forty-five thousand.

to court was well received, but Lord D'Arcy not complying, was taken and sent to the tower, and afterwards beheaded. Aske * leaving the court without leave, was also taken and executed, and hung in chains on a tower in York.

At the dissolution of abbeys, one William Tindall, Esq. of Brotherton, raised a tumult in this borough. When the persons who were appointed by government to appraise the goods in St. Giles' church, had entered the church to discharge their office, W. Tindall, attended by a servant with a spade and mattock, went through the town and up to the market-cross, and made the following ludicrous address, which at least indicates his spirit and attachment to the superstitions which had hitherto prevailed. "If there be any person," cried he, "that Jesus Christ is indebted to, let him come and make his claim, for Jesus Christ is dead, and I have brought my man to make his grave and bury him." The appraisers came out of the church and asked what was the matter? W. Tindall told them, "he was come to bury the body of Christ." The appraisers were angry, and bade him take care what he said, but he replied, "Surely Jesus

* It has been noticed, that the family of the Askes were the original lords of Kirkby, in the time of the Saxons. This Sir Robert Aske, was a person of great abilities, though much attached to popery, and an avowed enemy to the reformation. Christopher, the son of this Sir Robert, built the steeple of the church at Aughton, which is yet standing, and contains an inscription, which indicates the impression which the death of his father had made upon his mind.

Christofer, le secound fils de Robert Aske

Chr oblier ne doy anno D'i. 1596

Vid Gentleman's Mag. 1754. vol. 24.

Christ is dead. Was it ever heard that goods were appraised before the owner is dead? Ye are appraising his goods, therefore I thought he was dead, and what more likely *."

In the year 1540, King Henry VIII. visited the castle of Pontefract.

After this period, Talbot, Earl of Salisbury, commanded the English troops in the marches of Scotland. The English army entered Scotland, Oct. 21, 1542, and having desolated the west marches, returned to Berwick. On the 24th Nov. the Scots invaded England with fifteen thousand men, and were totally routed at the battle of Solway Moss, by a small band under the command of Sir Thomas, afterwards Lord Wharton. Many persons of the first rank in Scotland were taken prisoners; and according to the hospitable custom of that time were committed to the custody of different nobility. In the quaint stile of the Talbot letters, we have an account of the following persons being committed to our castle.

"The Lairde of Makreth, of 100l. land in the year, to Sir Henry Saville, governor of Pontefract castle."

"The Lord Carlishe, a man of 300 marks and more, but hath little in his own hands, being withheld from it by rebels; himself remaynith in Pontefract castle under Sir H. Saville."

"The Lairde Johnstone, a gentleman of 100 marks per ann; for whom the king's majesty hath paid an 100 marks in part of payment to his taker, for his ransom, and himself remainith in Pontefract castle."

* Wilson's MS.

“Lairde of Grutney and Newbye, between them of 40 marks or more, their pledges their brother, with Sir H. Saville, for 122 marks*.”

In the year 1545, Lord Maxwell was a prisoner in this castle, concerning whom the following letter from Henry VIII. was sent to the then governor:

BY THE KING.

“TRUSTY and well beloved, we greet you well; and, for certain causes and considerations, us and our council specially moving, we will, and straitly charge, and command you, that ye, with all possible diligence, do send the Lord Maxwell to our town of Newcastle-upon-Tyne, in safe and sure custody, so that he may be here with our trusty and well-beloved counsellor, the Earl of Hartford, our lieutenant-general in these north parts, on Friday or Saturday next at the farthest; and these letters shall be unto you a sufficient warrant in that behalf,—and to the intent ye may the more surely accomplish our pleasure herein according to our expectations, we do send unto you herein inclosed a commission for taking post-horses by the way, as the need shall require. Not failing hereof, as ye tender our pleasure, and will answer the contrary at our utmost jeopardy and peril.—Given under our signet, at our town of Newcastle-upon-Tyne, the 22d day of September, at eleven of the clock before noon, of the 38th year of our reign.

To our trusty and right-well beloved counsellor,
Sir Henry Savil, Knt. Steward of our Honour
of Pontefract, and Constable of our Castle

* Lodge's Illustrations of British history.

there; and in his absence, to his Deputy or Deputies there; in haste, post-haste—for LIFE, for LIFE, for LIFE, Delivered to the Post the day and year aforesaid."

No fact of importance occurs during the reign of Edward VI. whose piety has embalmed his memory, and whose charity schools have contributed to the instruction of thousands. The plague prevailed in the second year of his reign, of which many died in this place.

The bloody reign of Mary, or the more vigorous, active and glorious one of Elizabeth, is equally barren of topographical history. The inhabitants of this borough have however one improvement, or public convenience, to commemorate,—the erection of the conduit in the market-place, for supplying the inhabitants with water, which was finished in the year 1572.

Queen Elizabeth, some little time before her death, repaired and beautified the castle, and ordered the chapel of St. Clement, within it, which had gone to decay, to be rebuilt.

In 1603, King James I. in the first year of his reign, visited this town on his return from Scotland; and after his departure a grievous pestilence broke out, of which many died. He granted the castle and honour of Pontefract to the queen, as part of her jointure. Power was given in this grant to make leases of her majesty's lands for twenty one years, reserving the old rents*.

In the year 1616, the king again visited Pontefract in his progress to Scotland, and

* Lodge's Illustrations.

viewed the late established college in the castle, which still retained its original name of St. Clements.

The year 1625, King Charles I. visited this town in his way from Scotland.

He also created Sir John Saville, Knight, high steward of the honour of Pontefract, and by letters patent, dated 21st July, the fourth of Charles I. advanced him to the dignity of a baron of the realm, by the title of Lord Saville, Baron of Pontefract. His son inherited the title, and was created Earl of Sussex, and the family became extinct in his grandson James.

SECTION XI.

On the civil war, the state of parties, and a description of the castle in its perfect state.

WE have now reached the period, when the war between Charles and the parliament commenced; an event which various causes operated to produce, and which, though for a season it convulsed, if not destroyed, the regular motion of the machine of government, in its consequences, has tended to adjust its parts; and to establish and consolidate that constitution which is justly the pride and boast of Englishmen.

During the vigour of the feudal system, the mass of the people were without property and without rights. The king and the nobles enjoyed the supreme power, and the house of commons had no legislative existence. By degrees the lower order of the people acquired property; and in the struggles between the crown and the nobles, their influence was sensibly felt, and gave victory to the party they espoused. The people became gradually of more weight and consequence; and at last attained a part in the government by their representatives in parliament. The commons, as emanating from the people, like the tribunes in Rome, became the constitutional guardians of their rights and privileges.

In the reign of James, the representatives of the people were respectable for their property,

their virtue and talents; and displayed a firmness in resisting the encroachments of the crown, which justly entitles them to the admiration of a grateful posterity. Not convinced by the potent arguments James produced, for establishing the divine right of kings, and their absolute power to do what they pleased with the persons and property of their subjects, they defended the rights of the people, and evinced that spirit of liberty, which, in the reign of Charles, burst forth like a torrent, and swept away whatever impeded its course.

In a word, the increase of trade, the spirit of inquiry excited by the reformation; the revival of literature, and the diffusion of knowledge by the invention of printing; the weakness of James, and the arbitrary, impolitic and unconstitutional conduct of Charles; all united to kindle the flames of this unhappy war, which spread desolation through the country, subverted for a season the church and the throne, and brought Charles to a disgraceful end.

In the year 1542, Charles erected the royal standard at York; and called on his subjects to aid him in subduing his rebellious parliament. The lower orders, for obvious reasons attached to freedom, warmly espoused the cause of the parliament: whilst the old noble families generally supported that of the king. Most of the leading persons in the county of York, in order to supply the king's necessities, gave according to their ability, some one hundred, others two hundred pounds, and up to ten thousand.

They enlisted men and supported them at their own expence. They seized the castles

within this county, and supplied them with provisions. The following is a list of the distinguished persons who formed the garrison in the castle of Pontefract; and signalized themselves by their bravery and valour. It is given in the style of the writer, who contributed his share in the defence of this important fortress.

“ A true list of the manner of our watches, undertaken by the knights, gentlemen and volunteers in the first siege, with the names of them as they were inlisted in their squadrons and divisions.”

“ The standing officers of the garrison were Colonel Lowther*, the governor, advised by the pains of his brother, Mr. Robert Lowther.”

“ Lieut. Col. Wheatley, Lt. Col. Middleton†.

* Sir William Lowther of Leeds and Swillington, who was the governor of our castle, was a younger son of Sir John Lowther, of Lowther, in Westmoreland. The family was ancient and respectable. This Sir William Lowther married Jane, daughter of William Busfield, of Leeds, merchant. He was one of the council of the north. He purchased the Swillington estates of Coniers Darcy, Earl of Holderness, which have continued in the family, and are now the property of Lord Lowther. He died February 1689, aged eighty, and left issue, Sir William and Richard.

Sir William Lowther married Catherine, daughter of Tho. Harrison, of Dancer's Hill, in Hertfordshire, by his wife Catherine, daughter of Sir John Bland, of Kippax park. This Sir William Lowther was sheriff of this county in 1681.

† Of the family of Lieutenant Colonel Wheatly, the editor can give no account. The original seat of the family of Middleton, was at Middleton, in Wharfedale. The family is very ancient. William Middleton, Esq. in the reign of Henry V. removed to Stockeld, near Wetherby. From him descended William, who was Lieutenant Colonel of a regiment of horse, and among others threw himself into our castle, and with his brave colleagues nobly defended it. Attachment to the same cause united this family to that of Sir Marmaduke Langdale, who after the restoration, was created Baron Langdale, of

Major Dinnis,¹ Capt. Cartwright, Capt. Munroe, Capt. Gerrard Lowther, son of the governor, and captain of horse, as was also Capt. Musgrave, but these have now turned foot, and are commanded by Mr. Lowther."

"The gentlemen volunteers were inlisted into four divisions. The first commanded by Col. Grey, the second by Sir Richard Hutton, the third by Sir John Ramsden, and the fourth by Sir G. Wentworth, who had in their divisions the following gentlemen."

First. Colonel Grey's Division.

Colonel Grey, brother Lieut. Colonel Darcy,
to Lord Grey, of son to Lord Darcy, of
Warke *, Hornby †,

Holme. Peter Middleton, the son of the colonel, married the daughter of Marmaduke Langdale, Esq. son and heir of Lord Langdale.

* The Greys were settled in Northumberland, as early as the reign of Edward II. This family has produced many distinguished warriors and statesmen. William Grey, Esq. [of Chillingham, was advanced to the degree of baronet (seventeenth of James) 15th June, 1619: and afterwards to the honour of the peerage, by the title of Lord Grey, of Warke, Feb. 11, the twenty-first of James. He espoused the cause of Charles with ardour; and his son followed the example. Whether this son was Ralph, who afterwards enjoyed the estates and title of his father, is not certain, as Lord Grey had other sons, though none but Ralph survived him.

† The family of the Darcies came in with the conqueror, and received from him the gift of thirty three Lordships in Lincolnshire. Different branches of this family settled in the county of York. Sir Coniers Darcy was restored to the barony of Lord Darcy and Meinell, and to the barony of Hornby castle, where he resided, by Charles I. He was strongly attached to the royal cause; and his son, it appears from the command he enjoyed, was animated by the same spirit of loyalty.

Sir Edward Radcliffe,	Capt. Huddleston,
Bart *,	—— Rob. Portington †,
✓ Sir Francis Radcliffe,	—— Grimstone,
✓ Lieut. Col. Portington †,	—— Vavasour §, <i>pa</i> §.
Major Huddleston,	—— Croft, <i>pa</i> .

* The family of Radcliffe was settled at Threshfield, in Craven. Ralph Radcliffe, Esq. was made high constable of the Wapentake of Staincliff, the thirty-second of Elizabeth. He left the estates to his son and heir, Charles, who was clerk of the peace in the West-Riding, and associate before the judges in the northern circuit. He left issue, Edward, who married Elizabeth, daughter of Thomas Hesketh, of Heshlington, near York. It is probable this Edward was advanced to the degree of baronet, by Charles; as the sale of titles was one method he adopted to obtain money from his subjects. It was probably the son of this Edward who volunteered in the defence of this castle.

† Portington of Barnby Dunn, an ancient and respectable family. Roger Portington was justice of the peace, and suffered much in the royal cause. He was fined in the time of Oliver, the sum of one thousand eight hundred and ninety pounds for his delinquency. He enjoyed the rank of colonel, and shared in the duties of the brave defenders of this castle. He was interred in the church of Barnby Dunn: and a monument still remains, recording his virtue, his sufferings and his hopes. Vid. MILLER's Don. 133.

‡ Robert Portington was brother to Roger, and resided at Arksey. He was major in Sir William Saville's regiment of horse, and distinguished himself by his courage as an officer. After the war was over he returned to Arksey, and lived some time in retirement; but after Oliver became Protector, he was taken prisoner, and sent to Hull, where he remained till the restoration. Being set at liberty, in crossing the Humber he was bit by a monkey, and not regarding the wound, it gangrened and carried him to the grave. In Arksey church, on a stone, near the altar, is the following inscription.

Hic sepultus Robertus Portington, Strategus, miles insignis, Principi q. fidelis; obiit 23 die Decembris, A. D. 1660.

§ It is necessary to inform the reader, that *pa*. annexed to any name, denotes the person to have been a papist.

§ The family of Vavasour, of Haslewood, derives its

Capt. Wheatley,	Capt.
— Fumsdale, } Scots.	— Hoult,
— Seaton, }	— Sayle, <i>pa.</i>
— Wheatley,	Mr. John Thimbleby,
— Smith,	Mr. Charles Clarkson,
— Tatham,	Mr. Takefield,
— Perry,	Mr. Hammerton †, <i>pa.</i>
— *	Mr. Stapleton †, <i>pa.</i>

origin and name from the office they discharged. Qui ex munere (Regii enim olim Valvasores erant) hoc assumpserunt. Cambden. It is a very ancient family, and the pedigree may be traced up to the conquest; and several of the family have been distinguished as valiant commanders. Sir Walter Vavasour was born in the year 1613. He raised a regiment of horse, and supported them at his own expence. A branch of this family resided at Weston, near Otley. Vavasour of Weston, married the widow of Edward Saville, Esq. the second son of John Lord Saville, Baron of Pontefract, and it is probable that one of these was the captain noticed as a volunteer in the castle.

Another branch of this family settled at Fryston near this place. In the computus of the honour of Pontefract, p. 19. it is said William Vavasour paid five pounds to the honour for one knights-fee, in Fryston, after the death of his brother Henry, the thirty-second of Edward III. 1357. In the seventh of Henry IV. Sir H. Vavasour paid ten pounds relief for two knights-fees, at Water-Fryston.

* The MS. is imperfect, where the dotted lines are, and the names cannot be made out.

† The family of Hammerton resided at Purston Jaglin. The old hall fronting the public road was their seat. Attached to the superstition of their fathers, they continued in the catholic church. It is most probable the person here noticed, was one of this family; and the other under Sir G. Wentworth's division, his brother.

‡ The family of Stapleton is ancient; and has been long settled at Carleton, near Snaith. A branch of this family unquestionably resided at Stapleton, near this town, and either gave their name to, or received it from, that of the place. This family has continued in the bosom of the catholic church, down to the present day. Brian Stapleton is mentioned under Sir G. Wentworth's division, a name still continued in the family.

Mr. Anne *, <i>pa.</i>	Mr. Higford,
Mr. Cuthbut Medcaulph,	Mr. Wilkes,
Mr. John Medcaulph,	Mr. Burton,
Mr. Abbott,	Mr. Hey,
Cornet Spurgion,	Mr. Mast. French,
—— Harrington,	<i>Clergy to this Division.</i>
Ensign Hearbert,	Mr. Hey,
Mr. Stables, Alderman †,	Mr. Oley,
Mr. Smith, do.	Mr. Buchanan, Scotus,
Mr. Taytam, do.	In all forty-eight.

Second. Sir Richard Hutton's Division.

Sir Richard Hutton ‡, high-sheriff of Yorkshire.

* This is an ancient catholic family; and branches of it have settled at Frickley, Bolton, and Burghwallis. Philip Anne took a decided part with Charles, and contributed two hundred pounds to the support of the common cause.

† The loyalty of the corporation of this Borough, was strongly displayed by its members. Nine aldermen with the mayor, ten out of thirteen, of which number it consists, left their houses, and volunteered their service in the castle. Many of them became great sufferers; as their houses were seized by the troops of the parliament, and suffered most during the siege.

‡ The original seat of this family, is Hutton in Cumberland, from which it derived its name. A branch of it settled at Goldsborough, near Wetherby. Sir Richard Hutton was sergeant at law, and one of the justices of the common pleas. He was a man of great legal knowledge; and was justly honoured for his uprightness and integrity. King Charles used to call him the *honest judge*. His son and heir Sir R. Hutton, in the beginning of the war, along with some other gentlemen, seized and garrisoned Knaresbro' castle, of which he was made governor. He did not long retain this post, but either resigned or was superseded by some other person, as we find him amongst the garrison of York, which surrendered to the forces of the parliament, Aug. 16, 1644. Sir Richard Hutton must have departed with the honours of war, as he entered our castle immediately, and obtained command of the second division of the

Capt. Constable*,	Mr. Toyton,
— Musgrave,	George Wentworth,
— Standenen,	James Ellison,
— Fairburn,	John Longwith,
— Croft,	Steven Grammenden,
Lieutenant Smith,	James Kendrick,
— Antrobus,	M. Burchill,
Cornet Naylor,	M. Hopgood,
— Bamford,	Matthew Sutton,
— Matthewman,	Robert Halyfax,
Mr. Grovener,	Robert Burton,
Mr. Atkinson,	William Watson,
Mr. Preston,	Thomas Walker,
Mr. Jonstone,	Edward Gauthrope,
Mr. Massey,	John Farram,
Mr. Maddock,	Sergeant Fletcher,

garrison. He survived the siege, and afterwards joined the king. In the battle of Sherburn, where Lord D'gby and others were taken prisoners, he lost his life.

† * Constable of Flamborough, was descended from Fitz Eustace Constable, of Chester; and of course sprung from the stock, and was connected with the Lacies of Pontefract. Sir Robert Constable, in the reign of Henry VIII. was concerned in the rebellion, called the pilgrimage of grace. For this he was pardoned, but engaging in another commotion, he was beheaded at Hull, and his body hung in chains, June 1537. His son Sir Wm. Constable, was, however, admitted to favour, and advanced to the degree of Baronet, June 29, 1611. He remembered the death of his father; and in the reign of Charles, distinguished himself by his enmity to the royal cause. He adhered to Cromwell, and was one of those who signed the warrant for the king's execution.

A branch of this family settled at Everingham, in the East Riding of this county. Constable of Everingham, married into the family of Langdale, and warmly espoused the royal cause. He was the Capt. Constable who entered this castle. In many instances, we find persons of the same family engaged against each other, and the ties of blood and kindred forgotten through the influence of political animosity, and rancour.

Jonathan Heslam,
Robert Moore,
Thomas Senior,
Mr. Binnes,
Mr. Wilson,
Thomas Monke,

John Oxley,
Walter Steele,
Clergy to this Division.
Mr. Buchanan,
Mr. Mankenhole, his
peculiar chaplain.

Third. Sir John Ramsden's Division.

Sir J. Ramsden, Bart. * Lieut. Col. Tindall †,
Sir Jarvis Cutler †, Major Warde *,

* Sir John Ramsden, of Longley, near Huddersfield. This is the original seat of this ancient and respectable family. A branch of it resided at Lasscel Hall, near Kirk-Heaton; and the ancient seat was forsaken for the more agreeable one of Byram. This family has intermarried with the Savilles and Lowthers. Sir John Ramsden, the son of William of Longley, married first, Margaret, the daughter of Sir Peter Fretchvill, of Stovely, in Lancashire, and had issue William and John. To his second wife, he married Anne, widow of Alderman Pool, of London. This Sir John engaged in the royal cause; and after the surrender of the castle of Pontefract, at the close of the second siege, he entered into that of Newark, where he died. The estates and name of this respectable family have descended to the present baronet, Sir J. Ramsden, of Byram.

† Sir Jarvis Cutler resided at Stainbrough, near Barnsley. He fell a sacrifice to his zeal in the cause, and died in the castle.

‡ The family of Tindall resided at Brotherton. The colonel was the son of William Tindall, Esq. who excited some disturbance in our borough, as was noticed in the time of Henry VIII. He was zealously attached to the king, and gave 300l. at the meeting at York, to support the war. He outlived his royal master, and in the time of Oliver paid 340l. for his composition.

‡ Wade, (or Warde) of New Grange, near Leeds, an ancient and respectable family. Benjamin Wade rebuilt the family seat of New Grange; and was so warm in the royal cause, that he considerably involved his estate to support it. He sold an estate of 500l. per ann. and spent not less than ten thousand pounds in the service of Charles. Was this the major in our siege?

Major Wentworth,	Mr. Peary, <i>pa.</i>
Capt. Pilkington *,	Mr. Will Tindall,
— Morrett,	Mr. Hodgson,
— Horsfold,	Mr. Peary, <i>pa.</i>
— Swillovant,	Mr. Keeper,
— Standeanen,	Mr. Clarkson,
— Clough,	Mr. H. Tindall,
— Beale,	Mr. Foster,
— Shaw,	Mr. Hitchin,
Cornet Herrington,	Mr. Shilto, Mayor,
— Nunnes,	Mr. J. Wilkinson, Alder-
Lieut. Saville †,	man,
— Flemming,	Mr. E. Wilkinson, Alder-
Mr. Burton,	man,
Mr. Baumforth,	Mr. Lunn, Alderman,
Mr. Warwick,	William Strickland,
Mr. Stringer,	Nathan Drake ‡,
Mr. Safrone,	Peter Heaton,

* Pilkington, of Pilkington, in the county of Lancaster. One of this family purchased Stanley; near Wakefield; and a branch of this family has resided there ever since. It is probable this Capt. Pilkington was a younger son of Sir Lionel Pilkington, of Stanley.

† The Savilles is a very ancient family, in the West-Riding of this county. The Savilles of Bradley Hall, near Halifax, have married with the best Yorkshire families; and the eldest branch of this family has long resided at Methley, and was advanced to the honour of the peerage. It is not certain, whether Lieut. Saville mentioned in the list belonged to the Savilles of Methley, or some other family of that name. In Watson's pedigree of the Savilles of Hullenedge, near Eland, there is noticed a Gabriel Saville, who was Captain of foot under King Charles, and who married the daughter and coheirress of Capt. Ralph Rokeby, of Skiers, near Rotherham. Perhaps he was the person who volunteered in the defence of the castle of Pontefract.

‡ It is to the industry and labour of this Capt. N. Drake, the editor and the public are indebted for this list of the persons who defended this castle; as well as for the very parti-

Daniel Morret,
Steven Standenen,
George Shilito,
John Oxley.

Clergy to this Division.

Mr. Pickrin,
Mr. Hirst,
Mr. Cocker,

In all forty-six.

cular account of the various events of the siege, which will be given. The original seat of the Drakes was Shibden Hall, near Halifax; and the family is said to come out of Devonshire, where a family of this name had been long settled, and of which the famous Sir Francis Drake, whose naval achievements have rendered his name illustrious, was a branch. The pedigree is traced from the time of Edward I. in Watson's Halifax, down to Thomas, who lived in the time of Henry VIII. who had issue, William, Gilbert, Humphry and Isabella. William had issue, four sons and four daughters, of whom the second was Nathan, who lived at Godley. The part he took in the civil war exposed him to the resentment of Cromwell, who deprived him of his estate at Godley. Nathan had issue, Samuel, who was bred up to the church, but was expelled from his fellowship in St. John's Cambridge; and afterwards served the king at the siege of Newark. After the restoration, this Samuel was admitted to the degree of D. D. was made rector of Handsworth, and vicar of Pontefract. He wrote the life of his tutor and friend, Mr. Cleveland. He married ——— daughter of Mr. Abbot. His eldest son, Francis, was M. A. and succeeded him in the vicarage of Pontefract. He married to his first wife, Hannah, daughter of — Paylin, of York, merchant, by whom he had John, B. D. prebendary of York, and who succeeded his father as vicar of Pontefract. The above Francis to his second wife married Elizabeth, the daughter of John Dixon, of Pontefract, by whom he had Francis, a fellow of the Royal Society, author of the history of York, the parliamentary history of England, down to the restoration; and also of several tracts in the philosophical transactions. He married Mary, the daughter of ——— Woodyear, of Crookhill, near Doncaster, by whom he had a son Francis, who was vicar of Womersley, lecturer of Pontefract, and fellow of Magdalene College Oxford. This Francis married a daughter of Joshua Wilson, Esq. of Pontefract, by whom he had the Rev. Francis Drake, of Wakington, near Beverley, who is the present lecturer of Pontefract.

Fourth. Sir G. Wentworth's Division.

Sir G. Wentworth *, Colonel Vaughan,
Sir Thomas Bland †, Lieut. Col. Wentworth,

* Wentworth, of West Bretton, a branch of the ancient family of the Wentworths, of Wentworth Woodhouse, near Rotherham. Sir Thomas was a deputy lieutenant of the West-Riding of this county, and a captain of the train bands for Charles I. He suffered much for his loyalty; but living till the restoration he was knighted 27th September, 1664.

Sir G. Wentworth, of Woolley, a branch of the above family. He married to his first wife Anne, daughter of Thomas Lord Fairfax, of Denton: to his second wife — the daughter of Christopher Maltby, Esq. and had issue two sons, who died young, and three daughters; Averil, who married John Thornton, Esq.; Frances, who married John Grantham, Esq.; and Ann, who married W. Osbaldiston, Esq.; Sir Geo. suffered much in consequence of the part he took in the war. He was fined for his delinquency 3188l.

† Bland, of Blands-Gill, in the North-Riding. Arms, Argent on a bend sable, three Pheons Or. Sir Thomas married Catharine, daughter of John Lord Saville, of Pontefract and Howley, and sister of Thomas Saville, Earl of Sussex. He had issue, first Thomas, second Adam, who married the widow of John Girlington, of Thurgoland castle; and two daughters, Catherine, who married Thomas Harrison, Esq. of Dancer's Hill, in Hertfordshire, and Frances, who married John Belton, Esq. of Rawcliffe.

Sir Thomas Bland, the son and heir of the above Thomas commanded in Sir G. Wentworth's division, and his brother Adam was a major of horse, and one of those who issued from the castle and surprised Rainsborough at Doncaster. This Sir Thomas married Rosamond, daughter of Francis Neville, Esq. of Chevet, near Wakefield. By her he had issue, Francis, Adam, Rosamond, and Catharine. Rosamond married Martin Headley, Alderman of Leeds, and Catharine married John Frank, Esq. of Pontefract. Sir Thomas, like most of Charles' friends, suffered greatly in his cause, and was fined 405l. by Oliver. As a compensation for his loyalty, Charles II. honoured him with knighthood.

Sir Francis Bland, his son and heir, married the daughter of Sir William Lowther, of Preston. He was succeeded by

Major Copley *,	Mr. Emsott, sett. <i>pa.</i>
——— Beaumont,	Mr. Hammerton, <i>pa.</i>
——— Mountain,	Mr. Stokes,
Baron Killowson,	Mr. Richard Fisher,
Capt. Harris,	Mr. Rusby, Alderman,
——— Ramsden,	Mr. Oates, do.
——— Benyon,	Mr. Austwick, do.
——— Hardwicke,	Mr. Clitennor,
——— Washington†,	Cornet Andshoy,
Mr. Jervise Neville,	——— Sanderson,
Mr. Thimbleby; sen. <i>pa.</i>	Lieut. Cooke †,
Mr. Andrew East, <i>pa.</i>	——— Cutbert,
Mr. B. Stappleton, <i>pa.</i>	Mr. Fairmaine,

Sir Thomas Bland, who dying young the estate came to Sir John Bland, who was for many years a worthy representative of this borough, and built a new steeple to St. Giles' church.

* The family of Copley has been long seated at Sprotbrough; and intermarried with that of Fitzwilliam. Sir George Copley was knighted by Charles II. and it is probable was the person who engaged in the cause of his royal father, and was major in our castle.

† A family of the name of Washington enjoyed a large estate at Adwick-le Street. The register of baptisms in the church there, proves that this family was there settled as early as 1548, and many of this name are also interred there. The Washington who contributed to the defence of our castle, was most probably one of this family.

N. B. It has been said that the famous General Washington, sprung from them. It is certain, that the ancestors of the general emigrated from Yorkshire; and like many who departed to America, were zealous friends of religious and civil liberty.

‡ Lieut Cooke, might probably be one of the respectable family of that name, which has been so long in, or near Doncaster. Branches of this family have intermarried with the most respectable families in that neighbourhood; and a considerable part of the estate belonging to the Yarbroughs, originally of Snaith Hall, came to the present G. Cooke Yarbrough, Esq. of Streetthorpe.

Mr. Allot *,	Richard Dobson,
Mr. Fenton,	Richard Beaumont,
Joseph Oxley,	<i>Clergy to this Division.</i>
Richard Helkiffe,	Dr. Bradley,
Daniel Fielding,	Mr. Lister,
Thomas Wiggleskirke.	Mr. Mason, ✓
Thomas Motherby,	Mr. Burley,
Gilbert Grey,	In all forty-four.

The list which has been given cannot fail to gratify a laudable curiosity, by imparting considerable information respecting the brave defenders of our castle. Many of the respectable families, whose ancestors distinguished themselves, by their loyalty, prudence and courage, still remain in this neighbourhood; and the more humble names of many others continue likewise in the borough and surrounding villages.

Before we come to detail the event of that siege which ultimately led to the demolition of the castle, it is deemed necessary to give a description of it in its perfect state; that the reader may form some conception of the strength and grandeur of this celebrated fortress, once esteemed one of the greatest and strongest in England.

* Allot of Crigglestone and Bentley, a family respectable for property, and united by marriage with the Wentworths and Copleys. The Allot who volunteered in the defence of our castle was most probably Edward, the son of John Allot, of Crigglestone. A Richard Allot settled at Bilham Grange, and married Grace, daughter of G. Wentworth, Esq. of Bretton. Part of the Crigglestone estate is now the property of J. Allot Esquire, of Hague Hall, the eldest male branch of this family.

THE CASTLE OF PONTEFRACT

Is built on an elevated rock, and commands the most extensive and picturesque views of the surrounding country. The north-west prospect takes in the beautiful vale, along which flows the Aire; skirted on each side with woods and plantations, and ornamented with several elegant and beautiful seats. It is bounded only by the hills of Craven. The north and north-east prospect is more extensive, but the scenery not equally striking and impressive. It presents little more than a view of farm houses and villages; and all the bolder features of a fine landscape are wanting. The towers of York minster are distinctly seen, and the prospect is only bounded by the limits of vision. The east view is equally extensive, but more pleasing. While the eye follows the course of the Aire towards the Humber, the fertility of the country,—the spires of several churches, and two considerable hills, Brayton Barf and Hambleton Haugh, which rise in the midst of a plain, and one of which is covered with wood, relieve the prospect and considerably add to its beauty. The south-east view, which takes in a part of the counties of Lincoln and Nottingham, though extensive, has nothing deserving of notice. The south and south-west prospect comprises a rich variety of grand and sublime objects. The towering hills of Derbyshire, stretching towards Lancashire form the horizon; while the foreground is enlivened by a view of gentlemen's seats and a picturesque country.

The situation of the castle contributed greatly to its strength, and rendered it almost impregnable. It was not commanded by any contiguous hills, and the only way it could be taken was by blockade.

In its perfect state, the state-rooms of the castle were large, and accommodated with offices suitable for the residence of a prince. The style of this building shews it to be Norman; though it has received various additions and improvements of a later date.

The first member of this castle which merits notice, is the *Barbican*. This was situated on the west side of the outer yard (13) * beyond the main guard. Barbicans, were watch towers, designed to descry an enemy at a distance, and were always outworks, and frequently advanced beyond the ditch, to which they were joined by draw bridges. This Barbican formed the entrance into the castle, called the west-gate house. A similar tower with a draw bridge stood near the Booths, (12) and formed the entrance on the east, and was called the east gate house. The third gate, (14) was called the south gate, and opened into the road leading to Darrington and Doncaster, at the bottom of what is now called the castle garth. This gate led to another in the centre of the wall, which runs across the area from the east to the west gate; and was called the middle gate (15). The north side of this area was formed by the south wall of the ballium or great castle yard; in the centre of which wall was the

* The figures refer to the plate of the castle, and point out the situation of the part described.

porter's lodge, (8), the grand entrance into the yard of the castle. All these gates might be, and were frequently used as watch towers. The whole of this area was sometimes called the Barbican ; and within it stood the king's stables, (10) and a large barn, (11).

Near the Barbican, and close by the west entrance into the castle was the main guard, (17) a place of considerable magnitude and strength.

A deep moat or ditch was cut on the west side of the castle extending from the west gate, round the great tower to the north ; and another on the east, extending from the constable's tower along to the east gate.

The wall of the ballium or great castle yard was high, and flanked with seven towers, called (1) the round tower, (2) the red tower, (3) treasurer's or pix tower, (4) Swillington tower, (5) queen's tower, (6) king's tower, and (7) constable's tower. The walls of the ballium had a parapet, and the merlons were pierced with long chinks, ending in round holes, called oilets.

Within the ballium, were the lodgings and barracks for the garrison and artificers, the chapel of St. Clement (16) and the magazine (9).

The magazine is cut out of a rock, the descent to which is by a passage of four feet wide, and forty-three steps to the bottom. It is six yards over and three broad, with six cavities cut out of the sides of the rock, and nine yards in depth from the surface of the earth. Near this place was a large dungeon, the entrance to which was at the seventeenth step of the passage, and was a yard in breadth, but it is now stopped up by the falling in of the ruins. The wall, as you descend

these steps, is inscribed with many names evidently cut by the soldiers at the time of the siege of the castle, and amongst others, we find the following, who were officers in the castle at that period, as will appear hereafter.

16 Geo. 48	1648	John Smith,
Beale,	John Grant,	1648.

So strong the zeal t' immortalize himself
 Beats in the breast of man, that ev'n a few,
 Few transient years, won from the abyss abhor'd
 Of blank oblivion, seem a glorious prize,
 And even to a clown.

The entrance into the ballium was usually through a strong machiolated and embattled gate, between two towers, secured by a herse or portcullis. Over this were the rooms intended for the porter of the castle, the towers served for the corps de garde.

On an eminence at the western extremity of the ballium, stood the keep or dungeon, here called the round tower.—It was the citadel or last retreat of the garrison.—In large castles, it was generally a high tower of four or five stories—having turrets at each angle, and here we find there were six, three large and three small ones. When these towers were round instead of square, they were called *julietts* from a vulgar opinion, that large round towers were first built by Julius Cæsar.

The walls of this edifice were always of an extraordinary thickness, and having in consequence withstood the united injuries of time, and weather, now remain more perfect than any other part of the castle.

Here commonly on the second story, were the state rooms for the governor. The light was

admitted by small chinks which answered the double purpose of windows, and served for embrasures, whence they might shoot with long and cross bows. These chinks, though without they had some breadth, and carried the appearance of windows, were very narrow next the chambers, diminishing considerably inward.

The different stories were frequently vaulted, and divided by strong arches; on the top was generally a platform with an embattled parapet, whence the garrison could see and command the exterior works.

The annexed plate, figure 1. is a plan of that corner of the area of the castle, where the keep or dungeon, just mentioned * is situated, and also of the principal entrance.

(*a a*) Are the first outward steps; ascending from without to the area of the castle.

(*b b*) A second very steep flight of steps, within the ballium, ascending up the artificial mount to the entrance of the keep.

(*c c*) Is a narrow loop, well secured; and made through a wall no less than eighteen feet in thickness.

On entering the keep, on the right hand, at *d*, are remains of a great staircase, going up to the state apartments above, which are now all destroyed.

At *e*, is a small square room; probably designed for the captain of the guard. It is within one of the three round towers, mentioned by Leland: and all the substance of that tower, beneath this room, is solid stone work, quite to the bottom of the mount. A circumstance which shews the vast

* See KING on ancient castles.

strength of this building, and the improvement made on the original mount ; and at the same time exhibits a curious device for deception, something like that of the round tower at Rochester

The other small tower, being in like manner continued down to the ground, beneath the mount, contains a very singular, narrow, and most irregularly winding, zig-zag staircase ; which goes down from the door at *f* to a small sally-port at *x* ; and moreover leads to what appears to have been a well at *g*, and besides this it terminates in one part, in a very frightful small dungeon, at *z*.

There do not appear to have been even loopholes, or any admission for light or air, unless from the door, into the great lower apartment of the keep ; only there was a small window in the captain of the guard's room.

The diameter of the keep is about 63 or 64 feet. And between *f* and *h* is a very remarkable appearance ; for after you have ascended a ladder, against the inside of the wall, for a few feet, you then look down into a dismal square cavity, at *h* ; about 14 or 15 feet deep, or rather more ; but only about five or six feet square ; which cannot be conceived to have been applied to any other purpose than that of a dungeon ; since there is neither loop, nor door beneath ; or any outlet, whatsoever : nor does there appear the least possibility of there ever having been any ; nor could it from its shape and dimensions, have served for a staircase, or, for drawing up timber and machines of war, or for any other purpose, than that of a place of severe confinement. In short, it reminds one of the

description, given by Sallust, of the Tullianum, in the ancient capitol at Rome: and as it even now very well answers to that description, must have done so still more, before the upper part of the building, with the arches, was destroyed.

But this is not the only strange place, within the inclosure of this formidable castle: for, fronting the foot of the stairs, at a little distance, at *i*, is the square mouth of another well, of a most extraordinary kind; having been either a very horrid dungeon, or the inward mouth of some very singular subterraneous sally-port. It is very deep, but quite dry; the sides are neatly lined with stone, and on that which is nearest to the foot of the stairs, on looking down, appears at a great depth, a very high arch, leading to some vault, or passage, as represented, (Fig. 2); where it leads to, or for what purpose it actually served, may be well worth examining.

At *k*, is a very small, wretched chamber; formed in the thickness of the wall; which had two very narrow windows next the court. Here tradition says, Richard II. was confined, and murdered: but the smallness of the room hardly agrees with what is related of the manner of his death, by a blow, with a battle-axe, from Sir Piers Exton, as his being so murdered was a story generally received and believed.

By comparing the correspondent members of the remains of this castle with the above description, a tolerable judgment of what it has been, may be formed.

SECTION XII.

Events during the first Siege.

THE war, which had commenced in the year 1642, between the king and the parliament, had been carried on with various success; in some places the advantage appeared to be on the side of the former, and in others, on that of the latter. In the month of June 1644, was fought the decisive battle of Marston-moor, near York; in which the king's army was completely routed, and many of his best troops and officers slain. In this action Cromwell equally displayed his invincible courage, and his admirable talent for command. After having vanquished that wing of the enemy, to which he was opposed, he prudently checked the ardor of pursuit; and wheeling round, found the main body and the other wing, of the army of the parliament, had given way, and the enemy ready to take possession of the baggage and amunition. Having collected the troops together, and occupying the same ground the enemy had occupied at the commencement of the action, he made an irresistible charge and decided the fate of the day. The enemy lost their ordnance and artillery, and were pursued with great slaughter to the gates of York. It is computed that near 8,000 fell on the field of battle.

The appearance of Cromwell in the political

hemisphere like that of a portentous comet, shed a deadly influence on the royal cause. Victory attended his course; and from an inferior officer, he rose to the rank of chief commander; and at last, having put down the powers which raised him, he assumed the supreme government of the kingdom.

The victory of Marston was followed by the speedy surrender of York; and detachments of troops were sent to besiege the castles occupied by the king's friends; and among the rest that of Pontefract. The command of the detachment sent here was given to Colonel Sands, who, in the month of August, 1644*, fell in with a party of the enemy, sent out to protect some cattle, routed them, took all the cattle, and made forty horse prisoners.

Col. Sands, for some time, rather watched the motions of the enemy, and endeavoured to cut off their foraging parties, than to form a regular siege of the castle. The strength of the place, and the courage and prudence of the royalists, rendered a much greater force than he possessed necessary, to undertake the siege with any prospect of success. To have done more than he did, would have been rashly to expose his men to the fire of the enemy, without being able to return it with effect.

The success of Sir Thomas Fairfax, and others, in subduing the castles of Helmsly and Knaresborough, set the troops which had been on that service at liberty; and they soon marched to the assistance of Col. Sands. Sir Thomas Fairfax, as the superior officer, now enjoyed

* WHIT. 100.

the command: and in the beginning of December, 1644, he drove in the garrison, took possession of the town, and on Christmas day closely besieged the castle*.

Some of the besieged, protected by the fire of their friends from the castle, kept for a few days possession of the low church. The enemy, sensible of the importance of the church, as a place of defence and security, prepared to dislodge the royalists; and on the 29th December, 1644, they drew up and commenced their attack. The royalists defended the church for some time with resolution and courage; and their friends in the castle made there sallies, in order to repel the enemy, or at least to cover the retreat of their brave comrades. Their efforts were not crowned with success; for the enemy obliged them to retreat, and obtained possession of the church. In this action the royalists lost Capt. Waterhouse, of Netherton, three privates, and eleven wounded. The loss of the enemy, though victorious, was much greater. They are said to have had sixty killed and forty wounded†.

On the retreat of the royalists, eleven men and boys, who had been stationed in the steeple, were left to defend themselves. They could easily withstand the superior force of the enemy from the nature of their situation. They had however an enemy to encounter which threatened soon to subdue them. They were destitute of provisions; and unless soon relieved must of necessity surrender at discretion. They endured the force of hunger and thirst for five days and nights, and at length effected their escape by a

* WHIT. 102.

† DRAKE'S MS.

method as bold as dangerous. By means of a rope, which they had probably taken from the belfry, having descended to the roof of the western part of the church, they let themselves down to the ground. While engaged in this attempt they were discovered by the enemy, and though exposed to a hot fire, only one was killed, and Capt. Joshua Walker wounded in the thigh: the rest escaped to the castle in safety †.

No day passed without some effort on the part of the besieged to annoy the enemy. By the fire of the musketry from the towers, and by frequent sallies they cut off numbers, and obtained partial advantages over their opponents. At length the cannon which had been employed in the siege of Helmsly and Knaresbro' castles arrived; and the besiegers being in possession of the rising grounds around, began to erect their batteries in order to storm the castle. They occupied the house of Alderman Lunn, who, in the cause of royalty, had relinquished all the sweets of domestic repose for the toils and dangers of war. In his back yard the first battery was erected*. Previous to the commencement of their attack, Lord Fairfax, who had now joined his son Sir Thomas, sent the following letter to the governor of the castle.

“ To the commander in chief of Pontefract castle.

“ In performance of the trust reposed upon me by the parliament for the service of the publique, and particular safety and preservation of this

† DRAKE'S MS.

* Another was raised on Baghill, which afterwards did the most execution.

country, *I have marched* part of the troops under my command to *Pontefract* for the recovering of that castle, which hitherto *hath* opposed the parliament and infinitely prejudiced the country, to obedience of the king and parliament, *the which* I desire may be effected without the effusion of blood, and to that end now send you this summons to surrender the castle to me for the service of the king and parliament, which if you presently doe, I will engage my power with the parliament for your reception *unto* mercy and favour therewith, but your refusing or deferring the same will compel me to the trial of success which I hope will prevaile for the publique good. I shall expect your answer to be returned to me by Col. Forbes, to whom I have given farther instructions in that behalfe."

"FER. FAIRFAX*."

On the receipt of this summons, the governor, who only wished to gain time, answered the messenger verbally, "that *the* matter was of great consequence, and would require some time to consider of it;—that he would call the gentlemen of the castle together, being many of good quality, and consult with them about it, and would then send an answer, which should be sometime to-morrow morning at the farthest." Col. Forbes, to whom this answer was delivered, replied, "that it should be welcome to him, if it came not too late," and then departed.

* DRAKE'S MS.

The words in *Italic* are obliterated in the original, but the editor presumed the words supplied were most probably those used by the writer.

The conduct of the governor soon discovered his real intentions, and evinced that the answer he had given was only designed to amuse and impose on the enemy. He had already begun to erect a battery against that which the enemy had erected on Baghill; and during the night, he employed sixty men, to complete it, and to line the battlements and strengthen the walls on the side which would be most exposed to the fire of the enemy.

The governor prepared the following answer to General Fairfax's letter.

"According to my allegiance to which I am sworn, and in pursuance of the trust reposed in me by his majestie, I will defend this castle to the utmost of my power, and doubt not by God's assistance, the justice of his majestie's cause, and the vertue of my comrades, to quell all those that shall oppose me in the defence thereof, for his majestie's service, for the blood that is like to be lost in this action, let it be upon their heads who are the causes of it. This is my resolution, which I desire you to certify to the Lord Fairfax."

"From your affectionate friend,
RICHARD LOWTHER*."

The besiegers, the next morning, perceiving the works of the besieged, and convinced that they had no inclination to surrender, did not wait for the governor's answer, but opened a dreadful fire upon them. For three successive days they continued to cannonade the south side of the castle, in which period they discharged one

* DRAKE'S MS.

thousand and thirty-four balls. On the 19th January, having directed the battery against Pix tower, this massy pile gave way; a considerable part of it fell down, and by its fall carried the castle wall along with it, by which means a breach was made*.

Whilst the besiegers thus assailed the castle, the besieged were not inactive. A shot from the castle hit a match belonging to the besiegers, and some sparks falling into the powder, it immediately blew up and killed twenty-seven men. By a well directed fire of musketry the besieged obliged the enemy to keep their distance, and frequently did considerable execution†.

A breach being now made, the besiegers indulged the hope that the castle would be surrendered. On the 21st of January, 1644—5, Col. Forbes sent a drum to the gate of the castle, which beat a parley. The governor sent to know his business, and understanding he brought a letter from Col. Forbes, he sent word that unless the enemy ceased firing, he would not receive any letters. In consequence of this, command was given, by Col. Forbes, to the engineers to discontinue firing till further orders. As soon as this command was obeyed, the drummer was ordered to go down to the lower gate, where, being admitted, he delivered the following letter.

* Two brothers of the name of Briggs, who lived at the halfpenny house, in the road leading to Wakefield, standing together under the Pix tower, were unfortunately killed by its fall.

† About this period the besieged lost Capt. Maulet, who was shot through the head whilst standing on the top of the round tower. Capt. Smith was wounded by a piece of stone broke by a musket ball, but soon recovered.

“ Sir,

I desire to have possitive answer of the summons sent in upon Thursday last, that I may give an account to my Lord (who is now here) of your resolutions; and likewise I desire to know whether Mr. Ogale is exchanged for Lieut. Brown or for money, and if for money for what summe.”

“ Sir,

I shall remain your friend,

WILL. FORBES.”

On the receipt of this, the governor sent the letter he had before written to all the gentlemen in the castle, for their advice and approbation; and to know whether they were willing to run all risks, and to hold out to the last extremity. They fully approved of the letter, and engaged to defend the castle, and support the governor with their lives and fortunes. The governor then dismissed the drummer with the fore-mentioned letter to Col. Forbes.

On the refusal of the governor to surrender, the besieged expected the enemy would immediately make an assault, and endeavour to enter the breach which had been made. They perceived from the castle the horse drawn up in the Park, and a part of their infantry ready to march, with sprigs of rosemary in their hats. The governor commanded the drums to beat to arms, and the trumpets to sound on the battlements; and then ordered the soldiers to their posts. The garrison continued under arms the whole afternoon, expecting the enemy with great cheerfulness.

Although the enemy had made a breach, and

continued a very heavy fire against it, and king's tower, they made no attempt to storm the castle. The courage and resolution of the garrison, and the dangers of an assault, so dispirited the enemy, that many deserted and fled, for fear least they should be ordered on this service. The besiegers had expected that the garrison would have been inclined to surrender; and when they found this expectation was unfounded, they lost their confidence, and for some time did little more than keep on their defence.

Information had been sent to Lord Fairfax, that it was expected the castle would be surrendered. His lordship, accompanied by his son Sir Thomas came here, and were received with the honour due to their rank. Feu de joys were fired, and guards of horse and foot were appointed to receive and attend them. On viewing the breach, and considering the determined valour of the garrison, his lordship judged it more advisable to continue the blockade, than to sacrifice his men in a dangerous, and perhaps fruitless assault. Having given orders accordingly, he returned to York.

While the siege was thus carried on here, various altercations took place in the parliament. The Earl of Essex was charged with neglect of duty, and an intention to prolong the war, instead of bringing it to a speedy conclusion. At length the self-denying ordinance, as it was called, was brought into the house; and, on the failure of the treaty of Uxbridge, after violent debates, it was passed. By this ordinance, every person was disqualified for any military command, who enjoyed a seat in either house of parliament. The

chief command of all the forces of the parliament was now conferred on Sir Thomas Fairfax *, who was engaged in the siege of Pontefract castle. Col. Lambert was appointed commissary general of the army of the north, and ordered to post down to take the charge of the troops, when Fairfax should quit that station, in which by his steady conduct, he had obtained the confidence of both houses.

The besieged as soon as the fire of the enemy was remitted, began to repair the breach which had been made. Captain Munroe, and Captain Faybarne, were sent out to view the extent of the breach, which they found not to exceed a yard. The men were ordered to dig and carry earth, and by this means the breach was soon closed ; and the besieged were delivered from all fear of an assault.

The garrison, nearly cut off from any supplies found their ammunition greatly reduced, and were under the necessity of using it more sparingly. As the enemy had been well supplied with this article, and continued to pour in their shot, the governor allowed his own men 4d. for each ball of the enemy any of them might bring to him. Thus encouraged, the men often at the hazard of their lives, sought the shot of the besiegers, and were so successful as to obtain in this way no inconsiderable supply.

The besiegers seeing no prospect of taking the castle by the breach which had been made,

* "Sir Thomas Fairfax," says Baxter, "was a gentleman of no quick parts or elocution, but religious, faithful, valiant, and of a grave, sober, resolved disposition; neither too great nor too cunning to be directed by the parliament." Life p. 48.

began to mine, in order to blow up some of the towers, and make a larger, which would not admit of defence. They sprung one mine from the hospital, at the east end of the castle, and drove it towards king's tower. They sprung another from the house occupied by one Ward, and carried it under the moat, towards the round tower, which they intended also to blow up. On the discovery of this attempt, the garrison began to countermine. They sunk several pits within the castle, and commenced their mines from thence. They also sunk several without the castle, near to the walls. The number of pits within and without the castle, is said to have been one hundred and ten or twelve*; from whence they mined under the castle walls, and could have mined from one place to another all round, if it had been necessary.

The besieged, in the beginning of February, continued a regular fire against the enemy, and much damage was done in various parts of the town. Several houses were destroyed in Mickle-gate, and on the 17th some gentlemen's houses at the lower end of North-gate, occupied by the besiegers, were cannonaded, on which the besiegers set them on fire and departed.

The besiegers were continually annoyed by the garrison, and on the 22d above thirty were killed. The work of slaughter went regularly on,

* DRAKE'S MS. A tradition has prevailed concerning various subterraneous passages belonging to the castle. One of these is generally believed to have extended into the park. Doubtless, there were various secret sallyports; but is it not probable, that the mines and pits which Mr. Drake mentions have given rise to such traditions?

and Englishmen, divided into hostile and irreconcilable parties, rejoiced in each others destruction.

On the 24th of February, the besiegers received an additional force of two hundred and fifty men. They came over Ferrybridge, and one part marched through the park to the town; and the other to the low church, on their approach toward which, the garrison gave them a furious discharge of musketry and cannon; and it was thought did much execution, as in the night they fired two volleys, which was supposed to be at the funeral of a commander.

The besieged were now reduced to great straits for want of provision; and they found it would be impossible for them to hold out much longer, unless they could obtain supplies. The governor sent with Mr. Corker sixteen men to join Prince Rupert, and to acquaint the king with the situation of the garrison. The king was not willing to loose a fortress of such importance, or to suffer so many brave men to fall into the hands of the enemy, without an attempt to relieve them.

Although the treaty of Uxbridge was still pending, there was no hope of any accommodation; as the king was unwilling to yield any thing; and from his letter to his queen, it appears he was determined to support the catholics, and maintain all his pretended prerogatives. From the achievements of Montrose, in Scotland, and the divisions in parliament, he seems to have indulged the hope that in a little time his enemies would be obliged to submit to any terms he might choose to dictate. He however judged it prudent to send Sir Marmaduke

Langdale, with a body of two thousand horse, to raise the siege of Pontefract castle.

On receiving his orders, Langdale departed from Oxford, and under the colours of the enemy, marched through several of their quarters, and soon reached Doncaster. On the 28th February, the garrison received information of his approach, and anxiously awaited that contest which was to decide their fate; and either bring them relief, or by disappointing their hope, oblige them to submit, however reluctantly, to surrender the fortress to the enemy.

The besiegers on the same day received intelligence, and not knowing the strength of the royalists, took every precaution to secure their cannon, ammunition and stores. They set fire to several houses below Monk-hill, least they should afford a cover to the besieged in the expected action. The troops were stationed on the south and south-west of the town, to be ready to receive the enemy. Col. Lambert and Col. Forbes had the command of the forces, but received positive orders from Fairfax to stand on their defence, and if possible to avoid an action, till some additional troops had come up to their assistance.

About three o'clock in the afternoon, on the 1st March, Langdale was seen from the castle on the top of the hill, on this side Wentbridge. He marched on to Darrington, and then wheeled to the left by Carleton, and formed for action in the Chequer field. The two armies faced each other till near six o'clock, the cavalry of the parliament retreating as Langdale advanced, till they came to some of their

infantry, which had been stationed behind the hedge. Lambert, without waiting for any additional troops, now attacked the enemy with great impetuosity, and the fire of the infantry from the hedge, so galled Langdale's horse, that they were driven back. At this critical moment the garrison sallied forth, and coming upon the rear of Lambert's infantry, turned the fortune of the day. The chief contest was near this hedge. The same ground was lost and regained four or five times; but Langdale's horse returning to the charge and some of the parliamentary troops cowardly flying without making the least resistance, Lambert was under the necessity of sounding a retreat.

The forces of the parliament fled without order towards Ferrybridge: and more perished in the pursuit than in the action. The enemy hung on their rear till they reached the bridge, where they were for some time protected by a cannon which had been placed there. It was loaded with grape shot, and being discharged killed four men belonging to the garrison. The troops on the bridge were instantly attacked, and driven from it, with the loss of their field piece. The flying parties of the army were pursued between Sherburn and Tadcaster.

In the action Lambert himself was wounded, and many of his officers slain, among whom were Col. Armin, Col. Thornton, and Col. Malary. In the Chequer field, where the battle commenced, and in the pursuit to Ferrybridge, he lost about one hundred and sixty men. In the contest at Ferrybridge, and in the pursuit to Sherburn, it is supposed about

one hundred and forty more were killed. Near seven hundred were taken prisoners, among whom were fifty-seven officers. Twenty-two stand of colours belonging to the infantry, which were all they had, were taken; and twenty standards of horse, one iron piece of ordnance and twenty carriages; thirty-four double barrels of powder and a proportionate quantity of match and bullet, together with two thousand stand of arms, fell into the hands of the victors.

Sir Marmaduke Langdale returned to the castle, between ten and eleven o'clock the same night, having quartered his troops in the towns and surrounding villages. A body of cavalry were stationed at Featherstone, and another at Houghton. These were commanded by Langdale Sunderland, Esq. of Ackton, who had raised a regiment of cavalry for the king, and supported them at his own expence. He was connected with the family of Sir Marmaduke Langdale by marriage, and accompanied that general in most of his enterprizes.

Lord Fairfax, on the news of Langdale's approach, had ordered the Yorkshire forces to march with all speed to Pontefract. He had himself departed to bring them up; and on his way was apprized of the defeat of his own troops

* Langdale Sunderland having purchased Ackton, removed there from High Sunderland, near Halifax, the ancient seat of his family. He spent fifteen hundred pounds per annum in the royal cause, and suffered considerably in the time of Oliver; but like many others, after the restoration, was neglected and forgotten. He lies interred in Featherstone church. His grandson Peter sold the Featherstone and Ackton estates to Edmund Winn, Esq. from whom it has descended to Sir Edmund Mark Winn, Bart. the present possessor.

before the castle. In the same night a part of the Yorkshire infantry had pushed forward as far as Glass-Houghton, and falling unexpectedly on the body of Langdale's horse, quartered there, routed them, and took one hundred horses, and made several men prisoners *. The Lord Fairfax, with the cavalry, hastened to their assistance, but the fight was over before his arrival.

The rallied forces of the parliament now joined his lordship, and in a few days he was at the head of a formidable army.

Sir Marmaduke Langdale, having relieved the castle, after refreshing his men with a few days rest, retreated to Doncaster, and from thence to Newark. In this march he had nine passes to dispute; and had twelve skirmishes with the enemy, in which he vanquished nine thousand men.

Thus ended the first siege of Pontefract castle, during which the garrison had given the strongest proofs of their fortitude, prudence and courage. The besiegers had lost in killed more than five hundred men, and near one thousand prisoners; while the besieged had not lost in all more than one hundred. They were not however suffered to exult long in their victory, for on Langdale's departure, the troops of the parliament again collected, and the garrison had to sustain a second siege, which at length ended in an honourable surrender.

* WHITLOCK, p. 136.

SECTION XIII.

Events during the second Siege.

THE garrison availed themselves of the opportunity they now enjoyed of providing as ample a supply as possible for future contingencies. They made several excursions, and levied heavy contributions on the surrounding country. They seized the cattle, and laid in a stock of provisions. Necessity, they considered, destroyed the claims of private right; and whatever they could seize, they deemed it proper to take for their own use. The inhabitants of the town and the surrounding country, were alternately exposed to the exactions of the royalists and parliamentarians; and were equally insecure which ever party prevailed.

On the 11th of March, Capt. Laborne and another taking a ride from the castle, towards Wentbridge, and meeting with Mr. Ellis, of Brampton, a great sequestrator*, and a quarter-

* Sequestrators were persons appointed to examine into the conduct and morals of the clergy; and such as were "scandalous in their lives, and ill-affected to the parliament," they had the power to present to a committee of the house, which committee in consequence ejected them from their livings, and appointed others to officiate. The royalists detested the sequestrators.

Mr. Ellis was a highly respectable character, and from a just concern for the interest of his country, and of the Protestant religion, embraced the cause of the parliament. His son, or grandson, Geo. Ellis, left a good farm at Brampton to build

master, took them both and brought them prisoners to the castle. They afterwards made excursions to Turnbridge beyond Ackworth, a small station belonging to the enemy, which they attacked, and took Lieut. Col. Lee, Lieut. Col. Ledger, and three horses.

On the 15th, a party went out towards Doncaster, and meeting with Col. Brandling's regiment, they routed it and took one major, one lieutenant, and about one hundred horse. Another party, on the same night, paid a second visit to Turnbridge, and plundered the enemy's storehouse of whatever it contained.

The reappearance of the troops of the parliament soon checked the garrison, and put an end to their excursions. On the 21st, a considerable body took possession of the upper town. Capt. Redman was killed near the Brigg, and three others belonging the garrison taken prisoners. The enemy were not sufficiently strong to surround the castle, and the garrison continued still in possession of the lower part of the town, from whence they could be always supplied with wood and provisions.

The besiegers, fully convinced that the castle was impregnable, and that the courage and loyalty of its defenders could not be subdued, unless by famine, began to intrench themselves, and to form a regular blockade. They took possession of the New-Hall, Monkhill, and Baghill, where they cut trenches and erected strong works. The besieged endeavoured to prevent the construction of these works; and by daily and endow a charity school there, for the instruction of the children of the poor of Brampton and West Melton.

sallies, and a heavy fire from the castle*, they greatly annoyed the enemy.

A party from the garrison made a sally on the 28th, and attacked the intrenchments on Baghill, killed two of the enemy, and then retreated without loss. In the night of the 31st, Capt. Smith, with thirty men, went forth, and unexpectedly falling on a barn which the enemy had converted into a guard-house, routed the guard, and killed four men.

The besiegers, notwithstanding these attempts of the garrison, and the losses they daily sustained, continued to work at their intrenchments, and converted different houses and barns in the town, into guard-houses. The houses of the aldermen, who had fled to the castle, and volunteered in its defence, were immediately occupied; among which, as being best situated for the purpose, those of Alderman Lunn, Rusby, and Oates, are particularly mentioned.

The garrison, equally bold and watchful, availed themselves of every opportunity of impeding the works, and diminishing the numbers of the enemy. On the 1st of April they assaulted the guard at Monkhill, and killed ten men; one was also shot at the low church from the king's tower.

On the 4th a vigorous and successful sally was made by three companies, consisting of thirty men each. Alderman Rusby's house and barn were assaulted, one captain and three privates were killed, the rest dispersed, and the

* On the 22d the besieged fired fifteen cannon into the town and other places, and had a woman shot through the hand, and a man through the thigh, on the round tower, by the same bullet; but neither of them were killed. On the 24th they fired three cannon to the house of one W. Booth, in the park.

house and barn set on fire. The different sentries, near the low church, were also attacked, and compelled to retreat with the loss of one taken prisoner.

The besiegers, in consequence of this sally, drew up their forces, and lined the hedges from the park to Denwell, with infantry. They erected their standards at the top of Skinner-Lane, which the besieged perceiving, directed their cannon against them, and beat them down.

The besiegers were not long permitted to enjoy repose, but from the activity of the garrison were almost incessantly kept on duty. On the 5th a party of horse under the command of Capts. Washington and Beale, and forty musketeers, under the command of Capt. Smith, sallied forth against the enemy. The horse fought with great bravery, and compelled the enemy to retreat into the town, and to double the number of their cavalry; who then returned, and renewed the attack, supported by one hundred musketeers, who lined the hedges. Though the enemy kept up a heavy fire, the party from the castle maintained their ground, and took in their presence, two butchers coming into the town loaded with meat, which afforded a seasonable repast to the garrison.

On Easter-Sunday the rancour which prevailed in each party displayed itself. The governor had solicited Col. Forbes to permit him to buy some wine in the town, for the sacrament; and Col. Forbes, with that spirit of liberality which distinguishes the gentleman, readily granted a protection to any person the governor might send into the town for that purpose. But the men on duty refused permission; and

one Browne, of Wakefield, observed, "If it was for their damnation they should have it, but not for their salvation;" language which sufficiently evidences his narrow mind, bigotry and prejudice.

The garrison having attended divine service, were ordered to arms. Strong parties were commanded to sally forth in different directions, and to make a combined and general attack on the enemy's works. Capt. Washington and Capt. Beale commanded the horse, attended by fifty musketeers, under Capt. Munroe. Capt. Flood commanded another body of fifty musketeers. To each of these bodies were added twenty-five men, taken from the volunteers, who served under the four colonels within the castle; twelve were taken from Sir Richard Hutton's division, commanded by Capt. Croft, ten from Sir G. Wentworth's, commanded by Capt. Benson; and ten from Sir Jarvis Cutler's, commanded by Capt. Ogleby.

The first party sallied out of Swillington tower, up Northgate, and made a long and a desperate attack upon the enemy's works, which were as nobly and bravely defended. The other party sallied out of the lower gate, to the low church, and having dispersed the guards, they turned up the south side of the town, by the halfpenny-house, to the enemy's trenches, where a similar attack was made. While these parties were engaged with the enemy, they were in part protected and considerably assisted by the fire of their friends from the castle. In these rencounters the principal loss fell to the share of the besiegers, having one hundred and thirty killed, besides the wounded; the besieged

had only two men killed and two wounded. They took one prisoner, a quantity of muskets and swords, and one drum*.

On the evening of the same day, Capt. Smith, Capt. Ratcliffe, and Lieut. Wheatley, with an hundred men, again sallied forth up Northgate, and thence into the market-place, where they kept up a severe fire, and did great execution for near an hour. In this attack the enemy's powder was set on fire, and blew up about twenty men, near Mr. Lunn's house, many of whom were killed, and the rest so burnt that there was little hope of their recovery.

Although the besiegers suffered much, they received various reinforcements, and carried on their works with diligence and success. If the besieged by their bold and well-conducted sallies compelled them to retreat with loss, their numbers were inadequate to maintain the works the besiegers had left; and in their turn they were obliged to retreat to the castle for their own security. The spirit, the valour, and the perseverance of the besieged, effected all that was possible.

On the 7th they made another sally to Baghill, where they killed one man and took another prisoner with two horses. The musketeers from the castle protected them, and by a vigorous fire killed eight or ten men in the trenches.

The following day they repeated their attack against the enemy's works on Baghill, but on the whole were unsuccessful. The enemy having retreated and doubled the number of their horse, and bringing one hundred musketeers,

* DRAKE'S MS.

compelled the party from the castle to retreat; which they effected without loss, Lieut. Moore being only wounded by a shot in the arm*.

At this period a body of troops under the command of Sir John Saville†, which had been employed before Sandal castle, came to strengthen the besiegers here. They were principally stationed at the New Hall, and during the remaining part of the siege, they suffered much from the sallies and fire of the garrison.

The besieged continued their attacks on the 10th. The fire of the cannon and musketry did considerable execution. About twenty of the enemy were killed in their different works, during the day; and in the night the cannon was discharged twice, loaded with grape shot, into the trenches at Baghill, where the cries of the enemy indicated the slaughter which was made.

Alderman Thomas Wilkinson, who had with many others, entered into the castle, was on the 12th unfortunately killed by a shot from Baghill, whilst standing near the gate of the

* On the 9th a Lieut. Perry, with another, met one of the enemy's scouts on Baghill, and run him through; but his companion fleeing, and the enemy approaching, he was obliged to leave both the man and the horse. On relieving the sentries the fire from the castle killed two men and one woman. The besieged saw from the castle the besiegers send off five waggons with the wounded.

† Sir John Saville; of Methley, the son of Sir John who had married, to his second wife, Elizabeth, daughter of Tho. Wentworth, Esq. of North-Elmsall. This Sir John married, to his first wife, Mary, daughter of John Robinson, of Rither, Esq., and was high sheriff of Yorkshire, in the twenty-fourth of Charles I. He espoused the cause of liberty and freedom, and exerted himself on the side of the parliament.

barbican. Thus were one party watching the other; and an individual could not make his appearance without being exposed to the fire of his enemies. How dreadful is that unnatural state of society, which destroys that respect and regard which man should feel for man; and imposes it as a duty for one to become the executioner of another!

The besiegers on the 13th drew up three or four troops of horse, as if they intended to form in a body for some important enterprize. About noon a considerable number formed on the sand bed, below the New Hall, on perceiving which, the besieged discharged the cannon from king's tower, dismounted a whole file, killed two men and their horses, and severely wounded four others.

The besieged, by firing from the towers, endeavoured to protect the cattle, which they sent out of the castle to graze in the adjoining meadows. The besiegers on the other hand, availed themselves of every opportunity of shooting at the cattle, and of compelling the besieged to drive them in again for the purpose of security. This gave rise to various, and almost daily, skirmishes, which seldom terminated without the effusion of blood. On the 14th a party of the enemy attacked the cattle, near Swillington tower, but a heavy fire of musketry from the tower, compelled them to retreat, and saved the cattle.

On this day the enemy received three loads of ammunition, and the garrison counted five troops of horse more than they had hitherto observed. They conjectured, that, as the treaty of Ux-

bridge had failed, and as it was the king's intention to raise the siege of Chester, and to detach a part of his forces to recover his authority, into Yorkshire, a general engagement in this part was expected, as an army of three thousand Scotch now lay at Leeds, Knaresborough, York, Cawood, Selby, and Pontefract.

This day a sally was made by about twenty musketeers, without any commander, except one of their companions, distinguished for his personal courage and conduct, called Wm. Wether, alias Belwether. They approached one of the enemy's barricades, near the New Hall, bravely attacked it, and drove the men away, who fled to their horse guard. The assailants began to demolish the work, and continued their employment till they observed the enemy's horse ready to charge, when they retreated without loss into the castle*.

The same night Wm. Belwether, attended by six of his companions, fell on the enemy's trenches, near Broad Lane end, killed three men, and an officer dressed in a buff coat and black scarf, supposed to be Col. Eden, dispersed the rest, and returned in safety.

On the 15th various attacks were made by the garrison, but without much loss to the besiegers. In a sally made on some part of this day, the garrison suffered a severe loss in the death of Col. Tindall, Lieut. Col. Middleton,

* DRAKE'S MS. On the afternoon Lieut. Perry observing five of the foot belonging to the garrison, engaged with four of the enemies horse, near Baghill, rode to their assistance, attended by Sir Jarvis Cutler's man, rescued them, and brought them back to the castle.

and other officers, as well as many soldiers of inferior rank*.

A vigorous and successful sally was made on the 16th. Capt. Hemsworth, with fifty musketeers, went out of the lower gate to the trenches, near Alderman Lunn's house; and Capt. Munroe, with other fifty, from Swillington tower, up North-gate, to the enemy's upper trenches. These were assisted by fifty gentlemen volunteers, drawn from the four divisions as before noticed. A party of horse, under Capt. Beale and Cornet Speight, were stationed near Raghill, to prevent the horse of the enemy giving any assistance to their infantry during the attack. The two parties assaulted the enemy's trenches with great bravery, and compelled them to retreat to another trench, nearer to the bridge. The loss of the besiegers in this skirmish was about fifty, in killed, wounded, and taken; amongst the former was one lieutenant, and in the number of the latter was Capt. Wade, seven drummers, and sixty stand of arms. The next day the enemy was observed to carry away seven waggon loads loaded with wounded men.

On the 18th the besieged discovered about forty oxen and milch cows, belonging to the enemy, grazing in the fields. Impelled by the privations they suffered, they formed the design

* WHITLOCK, p. 142. It is singular that Mr. Drake gives no account of this sally, nor of the loss the garrison sustained. As parties were often sent out of the castle to Sandall, and other places belonging to the king, it is probable this party might be sent out for this purpose, and being attacked before they had cleared the enemy's works, were overpowered by numbers; and the fact not being known to Mr. Drake, till some time after, he forgot to notice it.

of attacking the enemy and seizing the cattle. A body of horse commanded by Capt. Beale and Cornet Speight; and another of infantry, under Majors Bland and Dinnis, sallied forth and completely effected their design, seizing all the cattle, and returning to the castle without the least loss.

About an hour after this the besiegers received a reinforcement of six hundred Scotch horse and foot, under the command of Col. Montgomery. The supply the garrison had just obtained was very seasonable, as they were now completely beleaguered. They gave the Scotch a warm reception on their arrival, keeping up a heavy fire from the castle, by which several were killed, and among these were Capt. Hamilton, and other officers.

This being the market-day the besiegers drew out a considerable body of cavalry and musketeers, on Baghill, to protect the butchers and others coming to the town, and to prevent the garrison obtaining a supply of fresh provisions; but the besieged by a well directed fire from the towers, obliged them to disperse, and quit their station.

A party of the Scotch from Monkhill lined the hedges, and assaulted the musketeers, sent from the garrison to protect the cattle whilst grazing, but were repulsed.

On the following day the besieged set fire to the lower side of Monkhill, and at three different times compelled the enemy to retreat from their works. No considerable advantage was obtained; nor did the enemy suffer materially in these rencountres*.

* DRAKE'S MS. On the same day three privates dis-

On Sunday the 20th the Scotch fired the upper part of Monkhill, and began entrenchments from Bondgate Mill towards their barricades, at Cherry Orchard Head; and from thence raised several strong works to the top of Monkhill.

The besieged, in order to annoy the enemy on Baghill, began to raise a mount within the barbican, where they intended to plant the only large iron cannon of which they were possessed *. The besiegers perceiving their design, continued a steady fire against the men employed in making the platform. On this and the following day the work was, notwithstanding, carried on and completed.

The besieged fired several cannon on this day, one of which shot through the enemy's barricades, behind the School-house, and as there were many men there, it is supposed it did great execution.

By some mistake, the Scotch run to arms, and taking a party of their own men for cavaliers, fired upon them, and killed a major, before their mistake was discovered.

The Scotch continued to strengthen their played their courage, by sallying forth up Grange Lane, and attacking the Scotch in their works at the top of it, and compelling them to retreat.

* There was found in the park closes about fourteen years ago, a ball weighing fifty-eight pounds and upwards; and as it must have been diminished by time, it could not have weighed less originally than sixty pounds. The ball is now in the possession of Mr. Mitton, of Spittle Hardwick. Whether this was the caliber of the cannon in the castle, or of one possessed by the besiegers, is not certain. There have been many balls found in and near the town, of the weight of forty pounds.

works, but did not extend them further; and on the night of the 22d marched away through the park, and were replaced by troops commanded by Sir J. Saville.

From this time the besiegers regularly brought up parties to Baghill, which were posted behind the hedges and in the trenches, and kept a constant watch on the garrison, and when opportunity offered, they poured in their shot, which the besieged in like manner returned. In these attacks many lives were lost on both sides; but it does not appear that the besieged were ever able to sally beyond the enemy's works, so that from this period they were completely surrounded.

On receiving intelligence that the king had raised the siege of Chester, and obtained some advantages over his enemies, the besieged began to indulge the hope that they should be again speedily relieved. What gave strength to this hope, was the information which a woman, taken by Belwether, imparted. This woman asserted that the besiegers would remain only two or three days longer before the castle, and that the troops of the parliament would be collected together, to wait the approach of the royal army. Though this information was true as far as respected Chester, the conclusion drawn from it was never realized. The expectation of the besieged was wholly disappointed by the disasters which befel the royal army.

The besiegers received a reinforcement of one hundred and fifty men, on the 26th. They came by way of Ferrybridge to the New Hall, where they kept a very strong guard. In the night they sent one hundred men from the up-

per town to Baghill, where they threw up a trench. While the besiegers were thus employed in preparing for their own security, the besieged sallied forth in strong parties to prevent the accomplishment of their design. About sixty men, commanded by Capt. Smith, and Lieut. Saville, sallied out of Swillington tower, up Northgate, where they greatly alarmed the enemy, who beat to arms, both in the town and through all their trenches. A brisk fire was kept up on both sides for about half an hour, and the besieged retreated without any loss. Another party sallied out of the east gate at the same time, and drove the besiegers from their sentries to their works, near the New Hall.

The besiegers carried on their works on Baghill, and kept about one hundred musketeers stationed there, who were regularly relieved by the same number from the upper town. So vigilant were the besiegers on Baghill, and so vigorous and constant their fire, that the besieged were closely confined; nor could they send out their cattle to graze without extreme danger.

The garrison now began to suffer many privations, and fresh meat was considered a great luxury. On the 27th some of the besieged seeing three hogs, which had strayed down to the Broad Lane end, rushed out of the barbican, and at the hazard of their lives, drove them into the castle. This incident shews more clearly than any language the state of the garrison.

During the night the enemy employed one hundred men in completing the trenches on Baghill, and on the following morning these

were relieved by one hundred and fifty from the town, who continued at the same work through the whole of the day.

A party of the besiegers' horse drew up about noon, and marched through the park to Ferrybridge; on seeing which a number of bold and resolute men rushed out of the castle, without any commander, and bravely assaulted a troop under Sir J. Saville; gave an alarm to their guard at the New Hall, and having killed and wounded as many of the enemy as equalled their whole number, they retreated with safety to the castle.

During the night of the 28th the besiegers employed at least three hundred men on their intrenchments at Baghill. The next morning, the garrison, to preserve some of their cattle alive, ventured to send a few of them to graze around the castle; but the enemy's works being now so near, they were soon compelled to drive them back, with the loss of one cow and two horses.

The governor, hearing nothing satisfactory of the king's affairs, and perceiving the increasing force of the enemy, came to a resolution to send four of his officers to Newark, to inform his Majesty of the state of the garrison, and to obtain, if possible, relief. In the night of the 29th the four officers departed from the castle, attended by twenty musketeers, who attacked the enemy up Northgate, while their friends pushed forward and cleared their lines.

On the 30th the besiegers relieved their guard on Baghill, with one hundred and fifty men at least, and through the whole of the day.

a heavy fire was kept up on both sides. The besieged had one horse killed in the barbican, and the enemy had several men killed and wounded by the musketry from the round tower. During the night the besiegers burnt a house, called Hillhall house, occupied by one Oates, on Monkhill; and another small house near the castle walls. The poor inhabitants were thus expelled from their cottages; and at this unhappy period were not only exposed alternately to the rapacity of the besiegers and the besieged, but compelled to seek a peaceable abode elsewhere.

The 1st of May the enemy relieved their guard on Baghill, and began to erect a strong triangular work, which they walled with stone and filled with earth. The besieged planted their cannon against this work, and by a well-directed shot greatly annoyed the enemy. Within the work the officers and men were regaling themselves with ale, but on the discharge of the cannon they betook themselves to their deep trenches.

Several sallies were made by small parties against the besiegers at Monkhill; and as these parties were covered by the fire of the castle, their loss was commonly much inferior to that of the enemy. The troops of Sir J. Saville were this day several times driven from their works, with the loss of some killed and more wounded. In the afternoon three of the garrison, without orders, issued forth against the enemy. They gave fire freely, and displayed the greatest personal courage and resolution. They continued their assault, till the enemy began to collect,

when they retreated, exposed to their fire. One of them, Nathaniel Sutton, a barber, was shot through the shoulder into the body, and instantly fell. Another, Capt. Dent, was wounded, receiving a fracture in the skull, but recovered again. A ball entered the doublet and grazed up the back of the third, who had stooped to avoid the fire of the enemy, by which his life was preserved.

The enemy cut down branches of trees, and made blinds at the ends of their work on Baghill, where they placed a long drake, belonging to Sir J. Saville's troops, and on the following morning opened a fire on the castle, but after having fired about eight times it was removed again. The besiegers lost in killed and wounded this day near twenty men; and the besieged had one man shot in the head, who instantly expired. They also suffered a loss in one of their oxen, which the enemy shot whilst grazing; but a party from the castle succeeded in bringing it off.

On the 3d there was little firing on either side. The enemy kept close in their trenches, and the besieged, in the castle. The latter however were more straitened, and the loss they sustained from the destruction of their cattle began to be more severely felt. They had two oxen and a mare shot on this day, but secured the carcasses.

A deserter fled into the castle, on the following day, and gave the besieged information respecting the state and numbers of the enemy. A number of royalists who had been taken prisoners, near Newark, were brought to Pontefract,

and exchanged for an equal number of the enemy within the castle.

On the 5th, and some following days, the enemy relieved their guard on Baghill, with not more than thirty or forty men, and from this part of their works there was very little firing. On Monkhill they made ways through all the houses which they had burnt, till they came to one which had been occupied by a widow Tupman, where they kept their centres, and from whence they continued a constant fire. From their works in Paradise Orchard, in the Trinities, and from Alderman Lunn's and Rusby's houses, they continued a heavy and vigorous fire against the round tower, and the north part of the castle, which the besieged returned, and partial losses were sustained on both sides.

Having in a measure rested on their arms for a few days, on the 9th each party recommenced a strong and galling fire. The besieged shot an officer and one soldier at their works, at the top of Broad Lane. The name of the officer was Capt. Coulartes. The besiegers, in order to complete their lines, about four o'clock in the afternoon, set fire to several houses and barns in different parts of the town. From Northgate towards Micklegate, they set on fire two barns, which were joined together, the one belonging to Mr. Shilito, the mayor, and the other to Mr. Batley. From thence they proceeded in consuming all the houses and malt-houses, till they reached Micklegate, amongst which were several excellent buildings; particularly one newly erected, belonging to Mr. Batley. They then crossed the street, and set fire

to Alderman Wilkinson's house. The fire of these houses and barns, raged with violence during the whole of the night; and the besieged fired several cannon into the town, which did considerable execution, and added to the horror of the scene.

The besiegers had suffered much from the sallies of the besieged from Swillington tower. They now determined to confine the garrison by the erection of strong works on Monkhill. Having once formed the resolution, they soon carried it into execution. The work was in the form of a half-moon or crescent, and while it afforded protection to the besiegers, it considerably annoyed the besieged. If they made a sally up Northgate they were exposed to the fire of the enemy, from Monkhill; and the most determined valour of the besieged was unavailing.

It is impossible to ascertain what human nature can endure, when supported by the pleasing delusion of hope, or animated by the energy of a party spirit. The more men suffer in the cause they have espoused, the stronger their attachment frequently becomes; the importance or glory of the cause is thought sufficient to justify all the sacrifices they make, or all the sufferings they endure in its support. The truth of this remark is established by the spirit of the garrison on the evening of the 12th. While recounting their deeds of valour, and conversing on the cause they had hitherto maintained, a general enthusiasm was enkindled; and not having any more reviving liquors, they drew water from the new well, and drank the health of the king, and of all his good friends. They pledged one

another, and engaged to be faithful, and hold out the castle to the last extremity. On receiving these pledges, they rent the air with shouts and halloos. The besiegers, on hearing the noise of rejoicing, run to their arms, drew up their horse, and doubled their guards, supposing that either a vigorous sally would be made, or that the garrison had received some good news. The tattoo in the castle, at length relieved the enemy from their fears, and the night passed in tranquillity.

The following day a strong fire was kept up on both sides. The besiegers had two killed and several wounded. The loss they daily sustained, made them keep close within their trenches; and they rarely made their appearance unless when they relieved their guards. The besieged observed the enemy send off toward Ferrybridge three or four waggons loaded with goods, which led them to believe that they were preparing to depart. What strengthened their belief was, that on the following day the enemy drove a considerable number of sheep and cattle the same road; but it was afterwards found, that these were sent to York, for supplying the troops there with victuals. The garrison on this day were deprived for a season of the services of Cornet Thurley, who, while standing in the Barbican, was wounded by a shot in the arm.

The enemy received a reinforcement of a troop of horse from Doncaster, which joined the main guard at the New Hall. The whole of the enemy's horse was afterwards drawn up in the park; and their number appeared consi-

derable. The losses the besiegers sustained were soon made up by the arrival of fresh troops, while the garrison was gradually diminished in numbers, and still more weakened by the privations they suffered.

On the 15th a party from the castle sallied out of the east gate to the low church, in order to obtain some wood for firing. Two lieutenants of the enemy observed them, but before they could retreat, or bring up any of their own men to their assistance, they were attacked, and Lieutenant Thompson, after being wounded, was taken and brought a prisoner into the castle. About two hours afterwards a drum was sent to propose an exchange of Mr. Thompson for an officer of the same rank, who was a prisoner at Cawood. About twelve o'clock at night Belwether, who had been sent to Newark seven days before, returned and brought letters from his majesty containing joyful news. As the king had now a respectable army, and was pushing forward into the southern counties, where it was conceived he would possess a decided superiority, it is probable the letters received had a reference to this subject.

The news the garrison received inspired them with fresh courage, and on the following day a vigorous sally was made to Monkhill, and the enemy were driven from their works to their main-guard, at New Hall. Another party attacked the work below the old church, on perceiving which, the enemy drew about thirty men from the barn in the grange, and commenced a brisk fire upon them. The party

from the castle retired to a close and thick orchard, from whence they returned the fire for near half an hour, and then retreated into the castle. In the night another party issued from the castle, intending to destroy a new work the enemy had raised at the bottom of the abbey closes. The besiegers had by some means received information of their design, and had lined all the hedges with infantry; so that the moment the party from the garrison sallied out, they were exposed to a brisk and heavy fire. They returned the fire for some time with spirit, and then retreated in safety, having only two men slightly wounded. It was supposed that a woman, who had gone out of the castle, had given intelligence of their intended attack, and thus frustrated their intentions.

The next day the besiegers had one man shot from the round tower, in the market-place; and the besieged suffered a similar loss of a man, who was going out of Swillington tower. A drummer was sent from the town, and a trumpeter from the Lord Montgomery's brother, to the castle. The latter was ordered to the governor's chamber, and after a stay of half an hour was sent back. He informed the besieged that the parliamentary troops did not exceed eight thousand men, in all the surrounding country.

On Sunday the 18th, after attending prayer, and sermon in the castle, the governor ordered all the men to their arms. Old Major Warde was sent to the mount in the barbican to watch the towers, that none might make any signal with hat, hand, or handkerchief, or any other thing, to give the enemy notice of their pro-

ceedings. Capt. Smith, Capt. Flood, Ensign Killingbeck, and Sergt. Barton, went first over the drawbridge towards Monkhill. Capt. Smith, with thirty men, went up Denwell Lane, to the outworks at the back of Monkhill, and having beat the enemy from thence, scoured the trenches to the lowest work. Capt. Flood and Ensign Killingbeck charged up the High Street to Monkhill top, where they fired the houses and demolished the works of the enemy, and were joined by Capt. Smith and his party. Another party, under the command of Capt. Munroe, Ensign Otway, and Sergt. Coupland, consisting of seventy men, sallied out by the old church to the lowest works of the enemy, and beat them from thence. Having set fire to an adjoining house, they charged up the lane to the grange barn, and there found several, who were sat after their dinner drinking healths to the upper house of parliament; these were instantly attacked, and every man slain. They next proceeded towards Monkhill, and joined the other parties at Cherry-Orchard head, near New Hall. Lieut. Gilbreth, Lient. Willowby and Lient. Warde, with seventy men, were stationed at the low church, and Major Warde and Lient. Favell, with forty men, lined the walls in the low barbican. These formed a corps de reserve, designed to assist their friends in case the enemy had marched to the aid of their companions, either from the town or from Baghill. The different parties succeeded in every direction, and being all united, near the New-Hall, charged the enemy at the very gates, and drove them from all their trenches over St.

Thomas' Hill, towards Ferrybridge. In this attack the enemy lost about sixty men killed, and as many wounded.

The party from the castle, on their return, seized the hats, arms, &c. of those they had slain. They likewise rifled their pockets, and as their own pay was much in arrear, the little they obtained afforded a seasonable supply. They brought also into the castle a quantity of swords, muskets, halberts, drums, saddles, spades, &c. and in every trench was found a bag of powder and some match which had been left by those who fled. The garrison lost in this sally Cornet Blackley, a brave and enterprizing officer, and had one man wounded, and another taken prisoner. In the evening the enemy sent two waggons loaded with the wounded to Ferrybridge.

The loss the besiegers had sustained checked their ardor and abated their courage. The following day they lay close in their trenches, and scarce one man appeared. The besieged encouraged by the success of the preceeding day, raised great shouts from the towers, and by crying out a "prince, a prince," alarmed the enemy, who fetched up their horses from grass, saddled them and drew up in Grange Lane. A strong party came from the town to Baghill, and another to New-Hall, to strengthen their guards there. During these movements the besieged shot several of the enemy.

The besiegers had their losses soon repaired by the arrival of considerable reinforcements, both of foot and horse. They came from Ferrybridge by a circuitous march, under the hill from Darrington to the West Field, and from

thence into the park. The besieged had their eye upon all their motions, and fired their cannon from Treasurer's tower against them. The shot killed two men, and the rest marched off behind the park ridge, where they abode. The fire of muketry from the round tower annoyed the enemy in their works at Baghill, and several fell there.

The 21st being a very rainy day, both parties continued quiet till the afternoon. A small party of the besieged went to the low church to obtain wood, and the enemy immediately opened a vigorous fire in all directions upon them, which compelled them to retreat without accomplishing their object. At the same time about five hundred men, with drums beating and colours flying, marched through, the lower part of the park, in single files, to the New Hall, to relieve their guards there. The troops commanded by Sir J. Saville, since their arrival, had been kept on constant duty. They had scarce ever enjoyed a night's repose, and suffered severely by the different sallies the garrison had made. They now quitted the dangerous post they had for some time occupied, and in the evening marched into the town, where they found the repose and refreshments nature demanded.

The governor received letters from his Majesty and Sir M. Langdale on the 22d, conveying the pleasing information that a royal army was advancing for the relief of the castle. On receiving this intelligence the expectation of the garrison was raised, and they accompanied their friends coming to their assistance "with.

heartily desires and earnest prayers for a prosperous blessing upon their endeavours." One Hanson also arrived from Sandal castle in the night, confirming this information.

Whether the king, at this period, had any real intention of sending a part of his troops to raise the siege of the castles of Pontefract and Sandal, or whether the letters sent were only designed to raise the hopes of the garrison, and encourage them to a vigorous defence, till opportunity occurred of affording them effectual assistance, is not certain; but the latter appears most probable, as the king was now marching with all his forces into Leicestershire.

On the following day the enemy kept up their fire from Baghill against the castle, but did no execution. The besieged received information from Skipton Castle and Latham Hall, that these places which had been reduced to the greatest distress for want of provisions, had been happily relieved, and had obtained a supply of sixty head of cattle and other necessaries. On the same day there came into the castle, one Blagbourn, a clothier, and another tenant of Major Beaumont's, who rejoiced much at the welfare of their landlord. The garrison considered this as a favourable sign, that they should soon be relieved, as these tenants evidently came to regain the the favour of their landlord, in case such an event should restore him to his estates and liberties. In the night a fire was made on the top of Sandal Castle, which was answered by one from Pontefract Castle, by which it was considered that good news had been received. The governor received information that the gar-

rison in Scarboro' Castle had made a vigorous and successful sally, in which the besiegers had lost three hundred men, and that all their cannon had been spiked.

The 24th, as early as three o'clock in the morning, the besiegers commenced a dreadful fire against the round tower, which continued for the greatest part of the day. It was supposed they were irritated on account of the fire the besieged had kindled on the round tower the preceeding night, and the joy they discovered on receiving intelligence of his Majesty's success. The besieged were in suspense, and did not know whether the enemy were now preparing to take the castle by storm, before the army of the king came up to their assistance; they however resolved, in case of such an attempt, to defend it as long as possible, and to surrender it only with their lives.

On this day a poor woman, who was gathering potherbs, was wounded in the thigh by a shot of the enemy, but not dangerously. In the afternoon four men from the castle went down to the old church, where a small party of the enemy were stationed. They did not wait the attack, but all shamefully fled except one lieutenant, who threw stones at them so fast that for some time they were not able to enter. At length one Thomas Lowther, a bold and courageous soldier, closed in upon the lieutenant, and would have taken him prisoner, had he not been at that moment wounded by a shot in the leg, which the enemy perceiving hastened to take him, but his three companions with much difficulty brought him to the castle, where he suffered amputation and recovered.

The besieged received letters this day, informing them that the army of the king which consisted of fifteen thousand men was divided, and that one half, under the command of Prince Maurice, was marching to raise the siege of Carlisle, and the other under his Majesty, was coming to their assistance.

The enemy continued their fire all the night, and the next morning, they poured in whole volleys, from every quarter against the castle. They rent the air with crying, a Cromwell! a Cromwell! They had received intelligence that Cromwell was marching in his Majesty's rear. Thus the hopes of each party were alternately encouraged, and depressed. The besiegers set fire to two or three houses in Northgate, and to the water-mill in Bondgate, together with a few other houses. The reason of this severity is supposed to have been, to compel the inhabitants to pay a contribution, which the enemy had laid upon the town, and with which they very reluctantly complied.

On the 26th, being Whitsun-Monday, the great gun in the castle was removed from the mount before the gates, and planted on the platform, without the upper gates, from whence it was discharged against the sentry house, near Alderman Rusby's; the shot struck the house with great force, and from forty to sixty persons ran out in great consternation. They also planted a little drake on Swillington tower, which they played against the enemy's guard at Paradise orchard, but did little execution.

On this day a man called W. Tubb, and a boy, along with many others, went out of the castle to cut grass for the cattle, and impru-

dently venturing too near the enemy, the boy was wounded by a ball, which entered side-way his mouth and went through his cheek, and the man was taken prisoner. The enemy perceiving that he was an ignorant clown, gave him ale till he was nearly intoxicated, and then tried to obtain from him an account of the number of the garrison, the quantity of their ammunition, provision, &c. but he either gave an exaggerated account, or evaded the questions put to him, and as they were conveying him to their principal guard-house, at New-Hall, he slipt from them and regained the castle.

The besieged on the 27th played their cannon against the enemy's trenches, near Mr. Rusby's, and at Mr. Oates' house in the Market-place. One of the enemy, whilst carelessly walking on Primrose Close, under Baghill, and smoaking his pipe, was killed by a musket shot from the castle. A poor little girl, who was feeding a cow under Swillington tower, was wounded by the enemy in the thigh, but recovered.

In the night of the 27th, about twelve o'clock, Lieut. Wheatley arrived, who had been sent along with Capt. Washington, a few days before, to Sandal Castle. He had brought with him forty or fifty horse, who in their way had met with two of the enemy's scouts, taken them prisoners, and brought them to the castle. They had also met with one hundred and twenty or thirty head of cattle, which they had driven before them, and if they could but succeed in getting them into the castle, they would be supplied with provisions for some time. It was no easy thing

to effect this on account of the enemy's works and strong guards, with which the castle was now surrounded. Necessity prompted the garrison to make the attempt, whatever it might cost them, or whatever might be the event.

Capt. Wheatley had left the cattle at some distance, while he had pushed forward with all the speed of his horse to give the garrison information. It was agreed that the cattle should be brought from the Chequer Field, by way of Carleton, and on the public road to Baghill; and that when they came near he should cry out a prince! a prince! to arms! to arms. All was ready in the castle an hour before the cattle arrived. At length they arrived, and Capt. Wheatley came riding as fast as he could, crying a prince! a prince! to arms! to arms. Some played the cannon against the enemy's works, and different parties sallied forth to aid in bringing in the cattle. Capt. Flood, Capt. Ogleby, and Lieut. Killingbeck, with fifty musketeers were sent to Baghill, with orders not to enter the enemy's works, but to remain under the hill-side, and keep up a constant fire upon them, to prevent them from sallying forth. Lieut. Col. Gilbreth, Lieut. Smith and Lieut. Warde followed them up the hill, with forty musketeers, to the enemy's works at Primrose Close, under Baghill, from whence they soon compelled them to retreat to their strong trenches on Baghill. Next went Capt. Smith and Lieut. Ogleby, with thirty musketeers, and attacked the enemy at Broad-Lane end, to prevent them from affording any assistance to those on duty at Baghill. Another party under the

command of Capt. Munroe, Capt. Barthrome, and Sergt. Barton sallied forth from the east gate to the enemy's works below the church, and prevented them from coming from Monk-hill, or New-Hall... The different parties having reached their stations, and fully succeeded in checking the enemy, Capt. Joshua Walker, with about twenty *snap-hanches**, went up the closes, on the south side of the low church, to Bag-hill, where he met the cattle. The Sandal men then returned, except about ten who assisted Capt. Walker to drive the cattle down to the castle. Anxious to place the cattle in safety, before the enemy could collect in numbers sufficient to prevent it, they drove them down the hill with such haste, that they lost thirty or forty, which of course fell into the hand of the enemy. They however secured the possession of ninety-seven, which would enable them to hold out the castle for some time.

The cattle having reached the castle, the drums beat a retreat, and all the different parties of the garrison returned in good order, without having suffered the loss of a man killed, having only one wounded.

The besieged now gave vent to their joy, for having obtained such essential relief, and in a manner so unexpected. They kindled bonfires on the tops of all the towers in the castle, and commenced a heavy fire against the enemy's works in all directions.

The orders which the governor had given to

* Snap-Hanches, the editor has been informed, is a term derived from the Irish, and is applied, among the military, to persons not regularly trained to the art of war.

the different parties, demonstrated his prudence and the solidity of his judgment. Had the different parties, instead of keeping the enemy in check, fallen upon them, it is probable they would have been compelled to retreat, and thus have failed to accomplish their design. The men whose zeal and courage were not always regulated by wisdom, expressed a strong desire to attack the enemy, and their commanders had much to do to restrain them; they however did obey orders, and to this circumstance they, most probably, owed their success.

The besiegers the next day commenced a heavy fire against the castle, but did not the least injury to the besieged. They seemed to be ashamed of their conduct on the past night, in suffering the castle to be so easily relieved. They informed their governor, Overton, that five hundred men had escorted the cattle. Fear, as it magnifies danger, often multiplies the number of an enemy, and justifies the inactivity, not to say cowardice, of those under its influence. The besiegers might have found a better reason for their conduct than what they assigned. They might with truth have said, "That being ignorant of the strength of the enemy, they judged it more proper to remain on the defensive, than to desert their lines, and expose themselves wholly to their fire."

Overton, the governor, sent a drum and three women, who were owners of part of the cattle, with a letter to Governor Lowther, either to deliver up the cattle, or make composition for them in money. The governor, conceiving the letter to be an insult, as it was written in a

peremptory and commanding stile, replied; If he could take the castle, he should have the cattle, otherwise he should not have the worst beast brought in, under forty pounds.

In the night the men who came from Sandal, went out of the castle, with an intention to return, but some of the garrison, who attended them, having their matches lighted, the enemy took the alarm; and, commencing a brisk fire, compelled them to return to the castle. The enemy, during the night, raised a strong baricado across the lane, leading to Baghill, in order to prevent the garrison from sallying forth in that direction. They also set fire to an house at the lower end of Northgate, which continued to burn for above two days and nights.

The following day the garrison lost one of their number. The governor in order to preserve the cattle alive, allowed four pence to each man who cut and brought into the castle a burden of grass. Some, to obtain this trifling reward, exposed themselves to the fire of the enemy. The man who was this day killed, had cut six burdens of grass, and brought them to the castle. Resolved to cut one more, he was shot by the enemy, and afterwards run through with the bayonet.

The enemy relieved their guard at New-Hall with three hundred men from the town; and there came back to the town three hundred and eighty men, marching in single files, through the Abbey Closes. During the night they erected a new triangular work, in the upper closes above Denwell, near to Swillington Tower, to check the garrison from sallying forth from that quar-

ter. On the following day the besieged fired their cannon against this work, and compelled the enemy to flee to their trenches. They however returned during the night and repaired the damage which had been done to their work, and rendered it tenable for the future. A woman on this day standing in the Market-place, was unfortunately killed by a musket ball from the round tower.

On the 31st the besieged kept a constant fire from the different towers of the castle against the enemy. They played their cannon against the guard-houses, which it was supposed did considerable execution.

The 1st of June was a joyful day to the garrison. Having attended divine service, the governor informed them, that he had received letters from Sir M. Langdale, which contained the intelligence that he had beat in the enemy at Derby, and summoned them to surrender, and that the king and his friends were every where successful. The garrison considered this information as the prelude of their own speedy relief, and final triumph over their enemies.

On the 2d Governor Lowther sent Mr. Massey into the town, to Governor Overton, to propose and agree concerning the exchange of prisoners, who had been taken at Hull and other places. Overton granted all that was demanded, and sent for them with speed. During the time Massey continued with the governor, an officer came and informed him that the men were almost in a state of mutiny, and that it was with difficulty they could be induced to obey orders. In the night the enemy threw up

another work in the closes below Baghill, against the low church, in the form of a half-moon. They had now formed double lines around the castle, and were kept on such constant duty, that a spirit of disaffection generally prevailed, and many deserted.

On the 3d the governor received letters from Newark, which conveyed the intelligence of his Majesty's success at Leicester. The country people, on the approach of the royal army, had carried all their moveables into that city, conceiving that a vigorous resistance would have been made; and that before the city could be taken, the army of the parliament would relieve it. The king no sooner appeared before the city, than he began to batter the walls; and a breach being made, he assaulted the town on all sides, and after a desperate attack, the soldiers rushed in sword in hand, and committed great cruelties on the garrison and inhabitants. An immense booty fell into their hands, which they took and divided among them. The loss of the enemy was great, and fifteen hundred prisoners were taken. On this success, his Majesty wrote to the queen, *that his affairs were never in so hopeful a posture since the rebellion*. The hopes of the garrison here, were highly raised on hearing of this splendid victory, and the spirit of the besiegers was proportionably depressed.

The garrison had a few wounded this day by the enemy's musketry; and the enemy had several killed by grape shot, discharged from the cannon in the castle.

The following night the besiegers began ano-

ther work at a little distance from the former, at the top of Mr. Stables' orchard, in the fields below Baghill; and the besieged seeing a fire on Sandal Castle, answered it by another from the round tower. From this circumstance they inferred that his Majesty's forces had obtained another victory.

On the 5th, a boy, an apprentice to Mr. Richard Stables, went from the castle to cut grass for the cattle, and was unfortunately wounded by a shot, which went through the arm, and part of the shoulder. He however recovered without suffering amputation. The enemy had five ensigns killed and several privates.

The besiegers received a reinforcement of horse on the 6th, from Doncaster; and several troops were drawn up about the town. The garrison discovered four of the enemy in the mill under the castle, who were stealing the iron from about the works; and a few running to the mill, three of the men fled; but one was taken prisoner. He informed the garrison that a body of the king's troops were pushing forward to their relief, and had already reached Tuxford,—that in consequence, the troops of the parliament were retreating, and would probably assemble in this neighbourhood, where a general engagement was expected. This intelligence was confirmed by the arrival of about four hundred horse on the 8th, who in consequence of the approach of the king's forces had judged it advisable to withdraw from their quarters at Tickhill, Rossington, and other places beyond Doncaster. Some troops of these horse were stationed at Cridling-Stubbs and Knottingley, and

a part went over Methley Bridge, towards Leeds.

On the 9th the besieged heard distinctly the firing of cannon, which they supposed to be near Sheffield, and of course concluded their friends were drawing near. What encouraged the garrison and confirmed them in this opinion, was, that in the night they beheld a fire on the top of Sandal Castle, the usual sign of good news. The besieged had one man slightly wounded, and by their fire from the castle killed several of the enemy.

The besiegers kept a strong guard of horse at New-Hall, which they relieved in the evening. At the same time came two horsemen at full speed into the town. They brought letters to Governor Overton; and a drum reported at the lower Barbican wall, that the troops of the king had taken Derby.

The enemy, on the 10th, began another work in a close near Baghill, called Moody's Close, designed to check the garrison, and prevent any relief being afforded. They began also another nearer Swilington Tower, but the fire of the besieged compelled them to desist, and to flee to their other works. They also received a reinforcement of eight troops of horse from Doncaster. These drew up in a body at Carleton, and one troop marched to South Hardwick; another came from Darrington, and marched into the town; a third came from Ferrybridge, and marched into the park.

On the 11th, the forenoon was spent without much firing on either side. About two o'clock, the governor ordered all the men in the castle

to arms, which they readily obeyed. A heavy shower of rain compelled them to seek shelter for some time. After having received their orders, they sallied forth in different directions. Capt. Munroe led out the first company consisting of Lieut. Moore, Sergt. Barton, and thirty musketeers. These went down to the church, but finding no men in it, they passed through it to Mr. Kellam's House, where a party of the enemy was stationed. Here Captain Munroe remained to prevent the enemy from sallying forth from their lower works; but at his approach they fled.

Capt. Smith, Capt. Flood, Ensigns Killingbeck and Otway, with eighty musketeers, followed Capt. Munroe through the church, to the lowest work the enemy had erected, at the top of Mr. Stables' orchard. Capt. Smith led his company first to the work, and then passed along the hedge, where he took his station to prevent the enemy coming from their upper works to the assistance of those in the lower. Though exposed to a brisk fire from the enemy, he continued his post with great bravery. During this time Capt. Flood and his company approached, and attacked the work, which they found very strong, and exceeding difficult to enter. There was but one place of entrance, and that so low and narrow as to admit only one man at a time. They however began a heavy fire against the work, and shot in at the port-holes. Those within returned the fire, and bravely defended the work, till Capt. Flood having forced the entrance, some escaped over the wall, and the remainder were taken prisoners, consisting of one captain, one sergeant, one corporal, and eight men, who were severely wounded.

Col. Gilbreth, Lieut. Wheatley, and Lieut. Ward, with forty volunteers and soldiers, with clubs and muskets, formed a corps de reserve, and were stationed in the orchard, near the work, in case the enemy should sally to the assistance of their comrades.

Lieut. Willowby, Lieut. Middleton, and Sergt. Parker, with forty musketeers, took post at the houses on the north-side of the church, near the Star Inn, and prevented the enemy from coming from the Grange-Laith and their adjoining works.

Lieutenant Monkes, with Sergt. Barton, and twenty musketeers, were sent towards Monkhill, to prevent the enemy from sallying forth from thence. Here a warm contest ensued; each party endeavouring to gain possession of a wall and a hedge, but the party from the garrison ultimately prevailed. Lieut. Monkes ordered his men to attack in files, which having fired fell back, and another came up and fired, after the manner of street firing, which led the enemy to believe that their number was much greater than it actually was. The besiegers at last retreated to their works on Monkhill, and left Lieut. Monkes and his party in possession of the pass.

Capt. Joshua Walker with about twenty *snaphances* and firelocks, sallied with the first party into the church, where, according to their orders, they were to remain for the space of twenty-four hours. They took with them sufficient provisions, match, powder and ammunition. They entered the steeple, and kept up a fire against the enemy on every opportunity. After Capt. Flood had taken the work, a party of the enemy came down to re-occupy it. The party within

the steeple fired upon them and killed twelve men, among whom were three officers, and wounded several others.

The musketeers, *snap-hancers*, and volunteers which remained in the castle, were commanded to the top of the towers and battlements, to watch the motions of the enemy, to annoy them in every direction, and to cover the different parties, who had sallied forth, by a steady and constant fire.

The besiegers lost from this sally forty killed, eleven taken prisoners, and a considerable number wounded; the besieged had only two men wounded, one of whom afterwards died, and the other recovered. The besieged brought into the castle a quantity of muskets, pikes, powder, match and ammunition, which they found in their works.

The siege of Pontefract Castle had now been carried on for several months, and there did not appear any prospect of its being taken by storm, or surrendered by capitulation. The parliament was dissatisfied with the commanding officer, and the manner in which the siege had been hitherto conducted. An order came to Lord Fairfax, to remove Sands, and to appoint General Poyntz, to the command.

On the 12th Lord Fairfax, and General Poyntz, came from York, attended with a guard of four troops of horse, but they returned again in the evening. They came to take an account of the number of the effective men, and to view the works of the besiegers. On this day, they lost several men by the discharge of grape shot from the castle. The besieged kept possession of the low church, and regularly relieved

their guard there, consisting of a captain and twenty or thirty men. Capt. Ward was slightly wounded in the arm.

On the 13th, Gen. Poyntz came post from York again, and took upon him the command. The besieged, in order to relieve their guards at the church without danger, began a trench from the east gate, and continued it down to the churchyard. They also made blinds of boughs and sods, from the church to Mr. Kellam's, under the cover of which they cut grass for their cattle, and brought in not less than one hundred burdens on this day. The guard in the church steeple kept up a constant fire against the enemy's works, and effectually prevented any attack on their own men.

The next day the besiegers relieved their guard at New-Hall, with three hundred and twenty men from the town; and on the return of the other, three men were killed in the closes below the Headlands, by a shot of a cannon from Treasurer's Tower. They also played their cannon into the town, and shot through the houses near Alderman Wilkinson's, where many of the enemy were assembled. A woman, who was carrying a stand of ale from Monkhill to the Grange guard, was killed, together with three or four men by the musketry of the guard from the church steeple. Capt. Hemsworth, with twenty-six men, was sent to relieve the guard in the church.

On the 15th a troop of horse passing along Bondgate, the besieged played their cannon full upon them from King's Tower, killed three men and their horses, and wounded many others.

The enemy this day sent several waggons loaded with the sick and wounded towards Ferrybridge. Capt. Cartwright, with twenty-six men, relieved the guard in the church this evening, and during the night the enemy formed a trench on the south side Mr. Kellam's, to prevent the besieged from cutting grass for their cattle.

The besieged had, on the morning of the 16th. a boy and a man shot, as they were getting apples in an orchard adjoining the castle. The boy had been shot through the cheek about a week before, but was now nearly well. He foolishly called to the enemy from the tree, and dared them to shoot at him. One of them fired, and the same ball went through the body of the boy, and entered the thigh of the man. The boy soon died, but the man afterwards recovered.

On the 14th was fought the decisive battle of Naseby, in which the royal army was completely routed, near one thousand being left dead on the field, and five thousand taken prisoners; all the king's train of artillery, bag and baggage, fell into the hands of the enemy. On the 16th the news of this important victory was conveyed to General Poyntz, who imparted it to all the men under his command. In consequence of this information they fired whole volleys against the castle, and rent the air with shouts of triumph and exultation.

Gen. Poyntz sent an officer, with a drum, conveying a letter to Governor Lowther, to inform him of this event, and to summon him to surrender the castle, while there was hope of mercy; as considerable reinforcements were coming

to his assistance, and he must at last be compelled to surrender. The governor no sooner read the letter than he answered verbally, "That he neither feared the forces that might come against him, nor valued the mercy which was now offered," and instantly ordered the officer to be gone, and impart this information to his general.

The governor appears to have wholly discredited the information, as he had received letters from Col. Washington; dated June 14th, from Newark, conveying the intelligence that his Majesty was at that period at Melton-Mowbray, and intended marching north, and in the space of ten days, if all succeeded, would relieve the castle of Pontefract. On this ground the garrison concluded that the enemy had received false intelligence, or invented the whole in order to intimidate the governor, and induce him to capitulate.

The besiegers received in the afternoon a considerable body of forces, which were quartered in, and around, the town. They continued a brisk fire against the castle, which the besieged as briskly returned. They fired grape shot against the enemy's works at Baghill, but what execution was done was not known. The besieged sent Capt. Smith, with twenty musketeers, to relieve their guard in the church.

On the 17th the besiegers began to enlarge the work, east of Baghill, in the closes south of the church, where they lost so many men, in the last sally made by the garrison. The guard of the besieged, in the church, discovered their intention, and by a regular fire of mus-

ketry from the steeple, compelled them to desist, and retreat into their trenches.

The garrison continued to disbelieve the information respecting the defeat of the king. They received letters, which supported their hopes, and fully convinced them, that there was no truth in it. It is happy for man, that in some circumstances, at least, he has the power to believe what he pleases; and can indulge hopes, which, though without foundation, afford him some present gratification. The besieged felt the influence of this power, at this period; and hallooing and shouting in the castle, as if they had received some good news, the enemy run to arms in all quarters, and thus afforded the besieged an opportunity of powering in a heavy fire among them, which did considerable execution.

On the 18th the besieged received two letters from Newark, dated the 15th, wherein it was stated that the king, at the head of his army, was at Melton-Mowbray, as before mentioned; that he intended to be at Newark on the Tuesday, and to march forward to the relief of Pontefract. They also brought information that great dissention prevailed in the House of Commons, and in the city of London, which, it was conceived, would tend to the advantage of the royal cause. Whether the letter contained this false intelligence, or the whole was an artifice of the governor, to keep up the spirit of the garrison, is impossible to decide. As the battle of Naseby was fought on the 14th, it is scarcely possible, that those in the confidence of his Majesty should be suffered to remain so long

in ignorance; unless it be supposed that the fatal overthrow had so deranged his Majesty's affairs, as to cut off all communication.

Gen. Poyntz, Overton, the governor of Pontefract, and other general officers, met at Doncaster, and held a council of war, to order and arrange the plan of their future operations. The besiegers remained in their works, and the besieged sent Capt. Kitchin, with twenty musketeers, to relieve the guard in the church.

On the 19th Gen. Poyntz and Overton, the governor of Pontefract, returned from Doncaster. They drew up their men in the Market-place. On seeing which the besieged played their cannon full among them, but what execution it did was not known. Through the whole of the day, the besiegers appeared to be uncommonly busy, and to be preparing for some enterprize of importance. At the relieving of the guard in the church, four or five of the enemy were killed, and many wounded, which they conveyed into Mr. Kellam's house. The governor sent Capt. Washington, and Lieut. Empson out of the castle, to Newark, most probably to obtain correct information, as well as to learn whether any thing could be done for the relief of the castle.

Gen. Poyntz called a council of war, on the 20th, in the town. In the afternoon there arrived several loaded waggons at the New-Hall, in one of which was a cannon. There came also a party of infantry, which marched in single files through the park into the town. The garrison, on descrying the waggons which came on the lane above St. Thomas' Hill, played their

cannon among them, but did not perceive any damage done.

The besieged received on this day an account of the battle of Naseby; but the account, like a modern Gazette of a defeat, was palpably incorrect, and favourable circumstances were added, so as to render it rather a victory than a defeat. It was stated that the king had been defeated, and lost his cannon and baggage; but that on the day following, Gens. Goring and Jarrett, had come up with Fairfax and Cromwell, and after a furious and bloody contest, they had put them to flight, recovered the cannon and ammunition, and had pursued them nearly to Northampton, and to conclude all, that Cromwell was slain.

On the following day a poor man, whose house had been burnt down at Monkhill, and who had fled to the castle for refuge, was shot whilst cutting grass near Monkhill, and instantly expired. The body was fetched into the castle, and there interred in the evening.

The enemy this day began to form a platform at Monkhill, for the cannon which had been brought two days before. The garrison played at them from the King's Tower, but their efforts were not successful. The enemy were protected by the works they had already raised, and they wrought with such diligence, that before night they had completed the platform. Governor Overton himself superintended the work; and on the following night they brought up the cannon from New-Hall, and planted it against the church.

The garrison sent Lieut. Willowby, with

twenty musketeers to relieve the guard at the church; and a deserter came into the castle bringing his firelock and his sword. He informed the besieged, that it was reported that the troops of the parliament, though successful against his Majesty, had since been routed.

On the 22d, as soon as the day dawned, the enemy made a strong attack upon the guard in the low church, which they entered with an hundred men. Another party went into the trenches of the besieged, and up the High-street towards the castle. The guard within the church defended themselves with the greatest bravery, and compelled those who had entered to retreat. Those in the steeple, by ringing the bell, gave the alarm to the garrison; and a continued fire being kept up from the steeple, and from the east tower of the castle, rendered the attempt of those who had entered the trenches useless; on which they retreated to their works, carrying the killed and the wounded with them.

This attempt to obtain possession of the church, and to expel the guard which the besieged had for some time kept there, indicated the wish of Gen. Poyntz to preserve, if possible, that fine Gothic structure from injury. The failure of this attempt, and the destructive fire of the guard, rendered it necessary to dislodge them by the battery of the steeple.

After some time, the cannon planted at Monk-hill, carrying a ball of eighteen pound weight, began to play against the lantern of the steeple. In about an hour and a half, they played thirteen times, but did not make any impression.

The besieged, to preserve the church, and protect their guard there, played their cannon from King's Tower against the enemy's works at Monkhill, and at the fifth discharge dismounted the cannon of the enemy. During the remainder of the day, the enemy were employed in remounting their cannon, and throwing up works for its security.

In the afternoon they relieved all their guards, and brought down four hundred men from the town to New-Hall, and as many returned. The besiegers in the evening conversed freely with some of the besieged, and informed them of Cromwell's success, and the almost final destruction of the forces belonging to his Majesty. The besieged, happy in their incredulity, considered this information as designed to induce them to surrender, and they still hoped that they should soon be relieved.

On the 23d the besiegers, as early as two o'clock in the morning, began to play their cannon against the church. With some little intermission, they continued their fire against the lantern of the steeple till near six o'clock, when a breach was made, and a part of it fell down. They then directed their shot to the steeple below the bells, for some time, but as no impression appeared to be made, they discontinued their fire till the afternoon.

The garrison had one man shot in the arm whilst he lay asleep, in the lower Barbican. They watched the motion of the enemy, but owing to the works they had raised at Monkhill, they were not able to make any diversion, nor could again dismount their cannon. The

enemy recommenced their fire against the church, and in the course of the afternoon, poured into the steeple and body of this structure, forty eighteen pound balls.

The steeple was so much injured that the besieged considered it no longer tenable. They however sent Lieut. Moor, with twenty musketeers, to relieve their guard; but he was ordered to occupy the houses round the church, and only to place two or three men within it. The besieged concluded that the enemy would make an attempt in the night to obtain possession of it, and either to take or drive in the guard to the castle. They had loaded their cannon with grape shot, and as they expected, the enemy about one o'clock, made an attack upon the church. The party of the besieged stationed in the houses began to fire briskly upon them; and those in the castle discharging the cannon, compelled them to retreat to their works.

On the following day both parties rested on their arms, and few shot were fired till towards evening, when the different guards were relieved. Lieut. Otway was sent down to the church with two files of musketeers, to relieve those who had been stationed there, and in the adjoining houses. It was expected that the enemy would make another attack in the night, and as the governor was convinced they would carry their point, he ordered Lieut. Otway, with his musketeers, to return to the castle at the beating of the tattoo. The enemy, as was expected, about one o'clock entered the church, and the lower part of the town; and as they found none to resist them, remained in possession.

The garrison did not permit them to enjoy much rest; but by a steady and constant fire of musketry greatly annoyed them. They also played their cannon from King's Tower against the steeple, and fired five shot from the garden into the body of the church; so that the enemy never appeared in the steeple. They were employed in digging up the dead, and making a work within the church for their own defence and security. From this circumstance it appears that the body of the church was much injured, and the interior wholly destroyed.

The besieged experience a severe loss this morning, in the death of Sir Jarvis Cutler, Knight. He was seized with a fever, and being destitute of good advice and necessary support, it carried him off. The enemy would not permit any fresh provisions to be obtained for him in the town. They only once indulged his lady with permission to visit him, and convey to him one chicken and one joint of meat. When dead, they would not permit him to be buried in the church, or suffer him to be conveyed to his own home to be interred among his ancestors.

On the 26th they prepared to inter the body of Sir Jarvis in the chapel within the castle. The body was first put into a coffin of wood, and the whole covered with lead, that his friends, after the siege might take him up and convey him to the family vault. The resident chaplain in the castle preached his funeral sermon, and the garrison honoured his interment by firing three vollies. The enemy would not permit Lady Cutler to depart after

the funeral, but obliged her to remain in the castle; and though often solicited to permit her to return to her house and children, they refused.

The besieged began now to suffer severely. They could not obtain relief from any quarter. They were wholly destitute of fresh provisions. This produced its natural effect: the men were discouraged, and desertion became frequent. In the night of the 26th a person of the name of Medcalf, who had waited on one Alexander Medcalf, who was confined by the gout, deserted to the enemy, and took with him whatsoever he could convey. He informed Gen. Poyntz that the surgeon who went to the castle to dress the wounds of the prisoners, and the drum who carried their provisions, communicated intelligence to the garrison, and supplied them with tobacco and other articles; in consequence of which information they were taken up and imprisoned.

The 27th was observed as a day of thanksgiving by the besiegers, for their late success and victory over the king. They had two discourses delivered suitable to the occasion; and afterwards fired whole vollies from all their works around the castle. They twice played their cannon; and the first ball went through the drawbridge and the lower castle gate; the second fell short of the bridge, but shivered to pieces a large beam of timber against which it struck. The besieged had two men wounded in the Barbican, from the enemy's works on Baghill; and the besiegers had one man killed from the round tower, while standing at the back of Mr. Rusby's house.

Lord Fairfax, after the battle of Naseby,

marched to relieve Taunton, which had been long besieged by General Goring, and was reduced to the last extremity. The Scotch troops advanced to Newark, and began the siege of the town and castle there. The besieged received, on the 28th, the news that their friends at Newark had made a successful sally, killed five hundred of the enemy, taken their cannon, and completely dispersed their forces. This news afforded them some consolation amidst the disasters which had attended the royal cause.

On this day the governor, Overton, sent a drum to the castle, to inform Lady Cutler that she might depart, if she pleased, to her own home. Anxious to revisit her mourning family, and administer comfort to her children, she immediately availed herself of the opportunity. On her arrival at the first guard of the enemy, she was however seized, together with her maid, chaplain, and a tenant who had come to meet her, who were all stripped in order to discover any letters which might be concealed about them. Though no letters were found, yet they detained the lady and her maid till next day at noon without any provisions, the governor having countermanded the order for her departure. They then sent her back to the Barbican gates, but Governor Lowther considered it as improper again to admit her, as the enemy had given her leave to depart. In consequence of this determination the lady, her maid, and her chaplain, remained without shelter in the street till ten o'clock at night, when they were permitted to go into the town, where they remained till next day, and then departed.

What could be the reason of the severity exercised towards Lady Cutler, is impossible to devise. It was surely unbecoming the character of the governor, as a gentleman and a soldier, to insult a lady on account of the part her departed husband had taken? To order her to be stripped in the presence of the guard, and to detain her without supplying the demands of nature, discovers a total disregard to propriety, and a cruelty bordering on barbarism.

On the 30th the enemy had a general rendezvous of all their horse in this part, on Brotherton marsh, which amounted to one thousand. After they had been drawn up there, they departed in companies to different villages. A company remained at Ferrybridge, another was stationed at Knottingley, and a body of about four hundred came up to Pontefract, facing the castle, and then wheeling off into the closes towards Darrington, beyond Baghill, there turned their horses out to grass. The enemy relieved their guard at New-Hall with at least six hundred men, and different bodies of infantry were in motion in all directions. This led the governor to conclude that they now seriously intended to assault the castle; and in consequence he gave orders that the guard should be doubled, and the strictest watch kept.

The night passed in tranquillity; and the enemy seemed so far from intending to storm the castle, that they were employed in making barricadoes to restrain the besieged, and to prevent them making any more destructive sallies. The garrison poured a heavy fire against the enemy's works in all directions, which they as vigorously

returned. On both sides, during the day, some were killed and many wounded.

On the 1st of July, towards evening, the besieged beheld the enemy carrying fagots and scaling ladders down to the church, which again raised their suspicion of an intended assault. The guards were again doubled, and about twelve o'clock most of the troops in the garrison were under arms, to be ready to receive the enemy should they make the attack. It did not however appear that they had formed any such design, as during the night they remained within their works.

The number of the besiegers, and the strength of their different works, rendered any sally of the garrison more dangerous to themselves than the enemy; and from this period the besieged made no sallies against the enemy's works. On the other hand Gen. Poyntz did not wish to expose his men, and sacrifice the lives of numbers by an assault; as he was fully convinced, that in a few weeks the garrison would be forced to capitulate. Thus each party rather watched the other than carried on any vigorous enterprises.

On the 3d and 4th, at different times, a brisk fire of musketry was maintained on both sides; the enemy had several men shot in their works around the church, and the besieged in like manner sustained some loss. Towards evening on the latter day the enemy's horse, which had been drawn up in the West Field most part of the day, began to depart to their quarters. A considerable body however remained there all night, and kept up very large fires.

No occurrence deserving notice took place

till the 8th, when Gen. Poyntz went down to the Barbican gate and asked to speak with the governor. The governor's son, who happened to be present, informed him "that his father was not there, or he would not have refused to see him." Gen. Poyntz then demanded the surrender of the castle, and promised "that if they complied within three days, they would obtain the most honourable terms; but if they delayed eleven or fourteen days, they might expect nothing but to walk with a white rod in their hands, as soldiers did in the low countries when they marched away on compositions." Capt. Lowther then answered him, "that the castle was kept for the king, and that if they stayed fourteen days, and fourteen days after that, there were as many gentlemen in the castle as would make many a bloody head before they parted with it." The general then began to use harsh language, and told him the soldiers behaved in the most rude and unbecoming manner, and applied to him the most reproachful terms. Capt. Lowther replied "that neither he nor his father could govern the tongues of the soldiers, but they would speak what they pleased." On this the general departed.

On the 9th the enemy began a fence from their works opposite Swillington Tower, along the hedge to Denwell Lane; and from this fence they greatly annoyed those who came from the castle to cut grass. The besieged sent out some men to Sandall, and some to Newark, to bring them intelligence or to join the king's troops, which it was supposed were now coming to their relief.

On the 10th the besieged received an account of the engagement between Sir Tho. Fairfax and Gen. Goring; when it was said that Goring routed Sir Thomas, and that Taunton was taken. A drum came from Newark to know whether the castle was surrendered or not, as the enemy had spread such a report. The drum was detained in the town, and kept a prisoner in the house of a Mrs. Washington, whose husband was in the castle. He communicated to her the message he brought, and sent her down to speak with her husband, and desired her to tell them to be of good cheer, as forces were coming to their relief. Accordingly Mrs. Washington got a drum to go with her to the Barbican sally-port, where she told her husband the news; and while the drum was engaged in conversation with another, she, pretending to shake hands with an old acquaintance, contrived to deliver to him two letters. These letters named the day and hour when Sir Marmaduke Langdale intended to come to their relief, and confirmed the account of Goring's victory over Sir Tho. Fairfax.

Thus were the garrison vainly encouraged while their privations and wants were every day accumulating. They did not cease however to employ all the means in their power to annoy the enemy; nor did their fortitude or courage in the least abate. They maintained their loyalty unsullied by the imputation of cowardice, weakness or treachery.

On the 13th letters were received from Sandall Castle, in which the same accounts were given as in those which have already been no-

ticed, that Langdale was approaching. The enemy on this day raised some fortifications near Ferrybridge, on Brotherton marsh, and some cannon were conveyed there to secure that pass; which circumstance led the besieged to hope the information which they had received was correct.

From some cause the enemy had an alarm in the night, and both horse and foot remained under arms till morning. About four o'clock they were seen in the West Field, drawn up as if expecting an attack. As it was nearly in this direction that Sir Marmaduke Langdale came before to relieve the castle, it was now hoped he was again approaching.

At this period an infectious and destructive malady prevailed in the town, which was called the plague. It is not improbable, that the crowded state of population within the town, the putrescence of animal bodies, and other circumstances might generate malignant complaints, whose ravages would be nearly equal to that of the plague, and which would be so denominated. Thus is the scourge of war usually followed by pestilence.

In consequence of this Gen. Poyntz withdrew most of his troops from the town, and formed an encampment in the West Field, where the general himself now always slept. The enemy still kept under arms, and it was reported to the garrison that the Skipton horse had pushed through Wakefield and by Sandall, in order to join Sir M. Langdale, and that this had given the alarm to the enemy.

On the 15th similar rumours of relief

reached the castle; and various contradictory reports were spread about. Some of the garrison ventured into the orchards, and obtained a considerable supply of apples. In these attempts they exposed themselves to the enemy's fire, and two were killed this morning, and others wounded.

In the afternoon the enemy sent a drum, with a note in his hand, which he read to the soldiers as he passed along to the gate, informing them, that both Gens. Goring [and Langdale were routed, and that Cromwell, Fairfax, and Rossiter were coming to their assistance. This note he afterwards delivered to those in the castle. The last hope of the garrison was now destroyed; and they found themselves surrounded by enemies whom it was impossible to vanquish, nor had the king one army left which he could send to their relief.

Gen. Poyntz, soon after this information had been communicated, and while the impression it had made still remained, sent in a trumpeter with a letter from himself and the committee at York. In this letter, the governor was again summoned to surrender the castle, while he might obtain honourable terms, which was to this effect, "that whereas they had heretofore sent to summons the castle which was still rejected, but now taking into consideration the great care and love to so many gentlemen soldiers in the castle, and the misery they lived in, the effusion of so much innocent blood which was likely to be made, and many a sackless man in it, they thought once more to summons them, and give them to understand, that if they pleased to come to a

treaty about surrendering the same, they would treat with them upon honourable terms, with conditions fitting for such a garrison, and would give hostages for the same." To this, the governor replied, "that it was a matter of too great consequence to treat or give answer at first, but he would confer with the knights and gentlemen of the castle, and return an answer as speedily as possible." Whereupon the trumpeter was dismissed.

On the next morning, both parties kept up a strict watch, and several were killed with the fire of musketry. The governor of the castle, considering the impossibility of maintaining much longer the fortress, gave permission to some of the leading gentlemen and officers to meet some of the enemy, for the purpose of ascertaining the conditions, on which they expected the castle to be surrendered. On this business were employed, Sir Rich. Hutton, Sir Thomas Bland, Major Copley, and Mr. Tindall. They met in the Half-penny House, which had been burnt, being too hot to remain without some shelter. They continued to converse freely together for the space of two hours; and the officers of the enemy treated them liberally with sack and ale, which were brought down from the town.

During the time that these gentlemen remained together, the governor sent for all the captains, and gentlemen volunteers into the hall of the castle, to consult what measures ought to be adopted; whether they ought to hold out to the last extremity, or to surrender on equitable and honourable terms. As it was deemed impossible to hold out long, they agreed that the follow-

ing persons should be chosen for treating with the enemy, Sir Rich. Hutton, Sir John Ramsden, and Sir George Wentworth for the gentry.—Mr. Hirst and Mr. Key for the clergy—Mr. Hodgson and Mr. Hearbread for the volunteers and reformadoes,—and Mr. Austwick and Mr. Lunn for the townsmen—and Lieut. Col. Wheatley, Capt. Hemsworth and Capt. Munroe for the soldiers.

During this period, there was a general intercourse between the besiegers and the besieged. All firing ceased, and men and women from the town came to converse with those in the castle. The soldiers on both sides formed into friendly parties, and agreed to go and rob several orchards together.

The next morning Governor Lowther sent a drum with a letter to Gen. Poyntz, informing him that they were ready to treat as soon as the place and the time should be appointed. Gen. Poyntz had gone to York, and Overton, the governor of the town, took no notice of this, till about four o'clock in the afternoon, when he sent a drum with a note, "that they should take time to treat, and not be so hasty as they were." This was an insult, which betrayed the pusillanimity of him who gave it, and was justly and properly resented by Governor Lowther.

Overton had been induced to make this weak, imprudent and unmanly reply, in consequence of the information which a captain from the castle had conveyed, that the garrison had not provisions for more than five days. It was likewise reported among the soldiers, that the enemy intended to starve out the garrison, to strip them as they came out, and to seize whatever the castle contained as lawful pillage.

At this critical juncture, Governor Lowther made use, most probably, of an artifice to revive the hope of relief, to inspire fortitude, and encourage the soldiers to make a brave resistance. He produced a letter from Newark, informing him that Sir M. Langdale on the 12th, had with all his own forces, and four thousand Irish set off to raise the siege of Pontefract Castle, and that Mr. Jarvis Neville had been also sent to hasten his march.

This information produced the effect intended, and though they were now suffering all the miseries with which a protracted siege is generally attended, their spirit was unbroken, and their resolution and courage unabated. An account being taken of all the provisions in the castle, it was found that they could hold out for — * days, the gentlemen and soldiers being allowed the same portion; and they all cheerfully agreed to suffer any privations rather than to submit to disgraceful terms.

The governor, being confined to his room desired Sir Richard Hutton, and Sir G. Wentworth, to assemble the garrison, and impart to them an account of Overton's letter, the quantity of provisions, &c. and they replied, that they were willing to endure any hardships, and even to sacrifice their lives rather than basely and dishonourably surrender,—and that if relief did not arrive according to their expectations, they would consume all the goods in the cas-

* In the MS. the number of days is obliterated, and it is impossible accurately to supply it. It could not be many, as at the time of their surrender, the whole was nearly spent.

tle, set the castle itself on fire, and either cut their way sword in hand through the ranks of the enemy, or nobly fall attempting it. After having come to this resolution, they threw up their hats and gave three huzzas in confirmation of it.

After these transactions the governor ordered two flags of defiance to be displayed; one from the King's Tower, and the other from the round tower, and this was left standing. Quickly after command was given to assail the enemy in every quarter with the musketry and cannon; and a steady and destructive fire was for some time maintained.

Towards evening a drum was sent with provisions for the prisoners, but the besieged refused to admit him. On this Overton sent another drum with a letter, desiring that the provisions might be sent to the prisoners, and also excusing his former note, and declaring that they were ready to treat as soon as Gen. Poyntz returned.

The next day Gen. Poyntz returned, and immediately sent a trumpeter with a letter to the governor, to inform him at what time and place the persons appointed to treat, concerning the surrender of the castle, should meet. The place agreed on was a close under Baghill, a little above Broad Lane end, where a tent was pitched for the accommodation of the persons appointed to bring the treaty to a final conclusion.

The committee for the garrison were the gentlemen before noticed, Sir R. Hutton, Sir J. Ramsden, Sir G. Wentworth, the Rev. Mr. Hirst, and

Mr. Key, with Lieut. Col. Gilbreth. Those appointed on the part of the enemy, were Mr. L. Wastell, a lawyer, Col. Bright, Lieut. Col. Fairfax, and Lieut. Col. Copley. About four o'clock Gen. Poyntz, Col. Overton, and nine officers came to the Barbican gate, and the committee from the castle went down, and marched with them to the tent. They continued in close debate till nine o'clock, but did not come to any agreement. At length the committee for the besieged rose and departed, declaring that they were determined to fight it out, as they did not value their lives so much as their honour; and could not submit to the terms offered without sacrificing it for ever. The deputies of the enemy followed them to the castle, and desired that they would meet again the next day, when it was hoped an adjustment might be made.

Accordingly the next day, 20th of July, each party met, and abating in their demands, a treaty was made and signed for the surrender of the castle, upon honourable terms. The siege had lasted five months, from the time it was relieved, and the enemy could not have lost fewer in killed and wounded, before this fortress, than a thousand men. The garrison had displayed a courage, which did equal honour to themselves and the cause they had espoused. Their sallies had been planned with judgment, and were executed with promptness, vigour and success. Though on every hand surrounded by superior numbers of the enemy, and almost destitute of every necessary, they were not intimidated, nor could be induced to make a disgraceful capitulation.

The following letter which the speaker of the House of Commons received from the committee at York, will give the terms on which the castle was surrendered.

“The enemy in Pontefract Castle were last week summoned to surrender, which caused them to desire a treaty. Accordingly the Colonels Wastell, Copley, Overton and Bright, were authorised to treat.”

“The castle is to be delivered up to the parliament to-morrow at eight o'clock, with every thing therein, save that the officers are allowed to carry away what is properly their own, so that it exceeds not what a cloak bag will contain, and the garrison are to march to Newark.”

“We are in treaty for Scarbro', which we hope shortly will be reduced. This you will please to communicate to the House, from

Sirs, &c.

FRANCIS PIERREPOINT,
York, July 20. 1645. WILFRED LAWSON,
HENRY CHOLMLEY.”

SECTION XIV.

Events which followed the surrender of the Castle; an account of the manner in which it was surprised, the last Siege, Surrender, and final Demolition.

ON the surrender of the castle to the troops of the parliament, the House of Commons immediately appointed Sir Tho. Fairfax governor. The lords, considering that Col. Poyntz had the honour of terminating the siege, and as a reward for his services, thinking it was but just to appoint him governor of the castle, sent a message to the commons desiring that they would honour him with this mark of their favour and confidence; but being informed that they had already appointed Sir Tho. Fairfax, the lords acquiesced *. Sir Thomas being fully employed in pursuing the dispersed and almost vanquished royalists, appointed Col. Cotterel as his substitute, to the chief command of the castle, with an hundred men to attend him.

There were few places but what now surrendered to the victorious arms of the parliamentary forces. Sandall Castle surrendered a few days after that of Pontefract. The troops which had been employed in the siege of these places were now at liberty to march against any of the small parties of the royalists, which still

* WHITLOCK, p. 162.

remained unsubdued. A small party of these was collected at Worksop, and were engaged in fortifying the manor house there. Colonel Copley, who now commanded Major General Poyntz's horse, marched from Pontefract to attack them; but on his approach they were so intimidated that they fled with the utmost precipitation. Some, however, of the cavalry and pioneers fell into his hand*.

While the towns and fortresses, which were occupied by the king's troops in England, were falling before the rapid movements of Fairfax and Cromwell, the astonishing achievements of the Marquis of Montrose, in Scotland, afforded some consolation, and shed a gleam of hope among the royalists. Lord Digby received a commission from the king, as Lieutenant General of all the forces north of the Trent, and had under him, Sir Marmaduke Langdale, Sir Rich. Hutton, and others. He was at the head of a body of horse amounting to fifteen thousand; and with these he resolved to push north, and if possible to join Montrose, who had scarcely any cavalry.

The design was bold, and if it could have been executed, might have supported the royal cause, and prevented the defeat of Montrose, at Philip-Haugh. Lord Digby made the attempt, and had successfully led his valiant horse from Oxford to Ferrybridge, where he surprised four hundred of the parliamentary forces which lay there, took their arms from them and shattered Col. Wren's regiment of horse. He then pursued his march to Sherburn, where he halted.

Col. Copley, who most probably lay at Ponte-

* WHITLOCK, p. 177.

fract, on receiving information of the enemy, immediately pursued with his cavalry, and soon came up with the rear, near Sherburn. Copley occupied a commanding ground, near Milford, and waited the attack of the enemy. Digby sounded to horse, and having collected some of his troops, rushed forward to the attack without waiting for the remainder. Copley's horse sustained the charge with firmness, but was afterwards compelled to fly. They took the road to Sherburn, and Lord Digby's horse pursued them. On seeing the horse flying, those troops which had remained in Sherburn considered the day as lost, and mounting their horses fled in all directions. A troop of Col. Copley's horse, which had continued unbroken, now fell on the rear of Lord Digby's, whilst the horse he was pursuing rallied; and wholly unable to sustain this attack, he was routed and pursued three miles.

Lord Digby had however the good fortune to escape, and after having encountered many difficulties, he reached the Isle of Man, and from thence got safe into Ireland. In this rencontre Col. Cornaby, Sir Richard Hutton, and several other officers were killed; and four Colonels, many inferior officers, gentlemen and reformadoes, and between three and four thousand troopers; were taken prisoners. The Countess of Nidesdale, the Lord Digby's coach, the king's surgeon, and much good pillage, were also taken. In Lord Digby's coach many letters were found, and some to a member of the house of commons, who in consequence was dismissed*.

* The account given of this engagement is taken from

This victory was deemed of such importance that a special messenger was dispatched to inform the House of it, who voted forty pounds as a reward to him.

From this period the arms of the parliament were every where victorious. The city of Oxford only, where the king shut himself up during the winter, remained unsubdued. In this hopeless state Charles fled to the Scotch army which lay before Newark, and continued in effect a prisoner. The royalists were disbanded, and those gentlemen, who had enjoyed commissions under his Majesty, retired to their own estates and lived in privacy.

The year 1647 passed over in fruitless treaties between the king and the parliament, and in contentions between the latter and the army. The army secured the king's person, and directed by their officers, overawed and entirely attained dominion over the parliament. Amidst the confusion which arose from these contests, the king fled; but not finding a ship to convey him to the Continent, he surrendered himself to Hammond, governor of Carisbrook Castle, in the Isle of Wight, where he remained till he was brought up for his trial.

The kingdom in general was dissatisfied at the proceedings of the army, but there was no Clarendon. The editor suspects his lordship had been led to mistake the facts by receiving incorrect information. It is most probable that Digby was attacked at unawares, and that before he could bring up his remaining troops, the few he had were routed, on seeing which the rest fled. It is not probable that Copley's horse, if they had been routed, would have fled to Sherburn, into the hands of the enemy, when they might have fled either to the right or left.

power sufficient to counteract them. The Presbyterians endeavoured to liberate the king, and the cavaliers and moderate men of all parties joined with them. The Scotch declared in his favour, and preparations were made to invade England, join the Presbyterians and others, and immediately to attempt the restoration of the king to his throne, on terms consistent with the liberty of the subject and the spirit of the constitution.

While these events engrossed the attention of the nation, Cotterel, the governor of Pontefract Castle, which on account of its strength and importance had been preserved from that ruin to which many others had been devoted, exercised a severe jurisdiction over his neighbours. From the details of the first and second sieges it will appear, that most of the gentlemen in this neighbourhood took an active part in support of the king and his prerogatives. On the conclusion of the war they had retired to their estates, but as they were known to have had commissions from the king, and to retain the same principles of loyalty, they were narrowly watched, and under various pretences fined considerable sums of money for their delinquency*.

* The following list of gentlemen who compounded for their estates, or paid fines to the government, and who either resided in this part of the country, or took an active part in the defence of the castle, will establish the fact stated above. This account is taken from a catalogue of such lords, knights and gentlemen, as compounded for their estates, printed for Thomas Dring, 1655, and from Wilson's MS. pedigree.

	£.	s.	d.
Beaumont, Sir Thomas, Whiteley Hall, fined	700	0	0
Bunny, Francis, Newland, near Wakefield, .	90	0	0

Cotterel, from the information he received, which might not be always deserving of credit, sent for several of the neighbouring gentlemen,

	£.	s.	d.
Bland, Sir Thomas, Kippax Park, who commanded in the siege,	405	0	0
Beverley, John, of Selby and great Smeaton, who was major of a regiment of foot for Charles,	200	0	3
Cutler, Sir Jarvis, Stainborough,	192	0	0
Copley, Godfrey, Sprotborough,	1543	0	0
Cook, Bryan, of Doncaster, fined £187:6:8. Settled on	1833	11	10
Dalston, Sir George, of Heath, was a member of parliament the 16th Charles I. He took part with the King, and was fined,	700	0	0
Downey, Christopher, of Cowick, near Snaith, was created a Baronet in May 19, 1642. He supported Charles in the war, but was not fined. Sir John, his son, was created by Charles II. Viscount Downe, of the kingdom of Ireland.			
Jackman, Matthew, Empsall,	45	0	0
Lowther, Sir William, Governor of our castle,	200	0	0
Margison, Richard, Armin,	30	0	0
Mountain, Isaac, and his son George, of Wistow, £50 per annum, and	155	0	0
Neville, Francis, Chevit,	1000	0	0
Nuttal, John, Rawcliff,	320	0	0
Oates, Richard, Alderman, Pontefract;	22	0	0
Stile, Thomas, Kellington,	100	0	0
Stringer, Esq. Thomas, Charleston,	485	0	0
Stables, Wm. Alderman, Pontefract,	12	0	0
Tatham, John, do.	114	0	0
—— William, do.	75	0	0
Thompson, William, Brotherton,	109	0	0
Wentworth, Sir George, Wolley,	3188	0	0
Yarborough, Sir Nicholas, of Balne Hall,	600	0	0
This was a branch of the Yarboroughs of Snaith Hall. Sir Nicholas was in the commission of array for Charles I. and on his death he was fined the above			

and detained them prisoners for some time in the castle. However this conduct might be justified on the ground of prudence, and however necessary it was to watch the motions of the royalists, it had an unhappy influence on their minds. They felt they were always suspected, and always insecure, on account of the part they had already taken; and were in consequence disposed to avail themselves of the first opportunity to avenge the insults, which they supposed they had received, and aid in any attempt to restore the king.

Sir Marmaduke Langdale, had received private intelligence that the Scotch were ready to invade England, and having received his Majesty's commission, he collected what royalists he could to give success to the attempt. In his way north, he visited several of his old friends in this neighbourhood, informed them of the design of the Scotch, and that with a view to aid and assist in the enterprize he was now hastening

E. s. d.

sum. His son, Sir Thomas Yarborough, was High Sheriff in the tenth of Charles II. 1673.

Woolstoneholme, of Woolstoneholme, Lancashire, having purchased Nostel Priory, built a house there. This son and heir, Sir John, carried plate to York, for the use of the king, to the value of £10,000, and it appears from his own papers that he was fined an equal sum for his delinquency.

10000 0 0

His son Henry was slain in the battle of Marston Moor; and Sir Thomas, his brother, was killed in the battle of Naseby. Being reduced by the war, he sold Nostel to the family of Gargreaves, of whom it was purchased by Sir George Wynn, Bart. in which family it still continues.

to join them. Some of them noticed, "that it would be possible to take the castle of Pontefract by surprize," and that as the troops of the parliament must be drawn from London to meet the Scotch, and there would be risings of the people in all directions, to reobtain possession of the castle, would occupy a part of the enemy's forces, and might contribute to the general success." In consequence of this a resolution was made, that when the Scotch under the Duke of Hamilton should invade England, the gentlemen should surprise the castle, and hold it for the king.

Langdale gave them a commission to execute the plan, when it should be deemed advisable, and settled a method of correspondence between himself and them. After his departure, they informed him of all their proceedings and received his directions. They endeavoured to conciliate Cotterel, the governor of the castle, and were so successful, that he treated them with more humanity and discovered less jealousy than he had been accustomed to do.

Among those who agreed to surprise the castle, was one Col. Morrice. He is said to have been in his youth, page to Thomas Wentworth, of Wentworth Woodhouse, Earl of Stafford; one of the most able statesmen in the kingdom, but the chief adviser of those unconstitutional measures, which brought on the civil war, of whom Lord Digby said, "I believe his practices in themselves have been as high and tyrannical as any subject ever ventured upon; and the malignity of them are greatly aggravated by those abilities of his, of which God has

given him the use, but the devil the application." In his service Morrice was trained up, and on the breaking out of the war he entered into that of the king. He enjoyed the rank of an officer; but whether he had received some affront, which he could not forgive, or whether he thought that he did not enjoy a rank equal to his merit, he quitted the service of the king in disgust, and joined the army of the parliament.

During the first three years of the war, Morrice often distinguished himself by a resolution and courage, which the greatest dangers appeared rather to increase than subdue. Naturally bold, he was often placed in the post of honour and difficulty, and obtained such renown, as to be noticed and caressed by his superior officers. As a reward for his services as well as an incitement to his future exertions, he was advanced to the rank of colonel. He did not disappoint the expectations which his past conduct had raised; but when engaged in the most difficult enterprises, he was crowned with success.

Morrice, though respected for his military talents, gave offence to the serious part of the army, by his dissipation and licentiousness. He did not, like some others, put on the mask of seriousness as a cover to the most enormous crimes, but whatever his vices were, they were notorious. He was the devotee of sensual gratifications, and in his conversation, gay, humorous and pleasing; and in consequence became the associate and friend of those of a similar taste.

On new modelling the army, and the intro-

duction of strict discipline, Morrice was left unemployed. Fairfax and Cromwell would admit none to command, but who either were, or appeared to be, sober and religious men. They however dismissed Morrice with professions of the highest respect, and promised that as soon as a proper occasion occurred, they would again call him forth into active service.

According to Lord Clarendon, Morrice was not displeased at being dismissed from the service of the parliament, as he had already begun to repent of his late rebellious conduct. Being a gentleman possessed of a competent estate in this part of Yorkshire*, he came and resided up-

* The editor laments that his researches to find out the place where Colonel Morrice resided, and the estates which belonged to him, have been without success. Could this have been ascertained, it might have thrown some light on the following narrative; and by connecting time and place, would have rendered the whole more complete. An historian has frequent reason to regret his want of materials, which are sometimes locked up in the libraries of the great, and to which all access is denied. Castilion Morrice, a son of Col. Morrice, whose daughter Ann married William Sykes, of Stockholm, merchant, is mentioned in the Milnes' pedigree, Vid. BEETHAM. This William Sykes was brother of Richard Sykes, of Leeds and Ledston, whose eldest daughter and coheir married Tho. Wilson, grandfather to the late bishop of Bristol, whose second son, Christopher Wilson, Esq. of Elmsal, in right of that marriage, possesses the very valuable estate of the Park, at Leeds, formerly an appendage to the ancient castle of that name.

The mother of William Sykes, who married Ann, the eldest daughter of Castilion Morrice, as above mentioned, married to her second husband Joseph Poole, Esq. of Sykehouse, in the parish of Fishlake, a Captain in the army of the parliament, and who frequently hazarded his life, in various attempts to scale the walls of our castle during the last siege. He resided some time after the castle was surrendered and

[on it; and resolved to wipe of the stain of rebellion by opposing the cause of the parliament, the first opportunity which presented. That such a

dismantled, in the house now called the Castle Chain House; and various letters directed to him there, are still in the possession of John Milnes, Esq. Wakefield. He afterwards went and resided at Chapelthorp, near Wakefield, and at last retired to that town, where he ended his days. He was buried in the Quakers' burying ground, where a stone still remains to his memory. He died Sep. 16, 1704.

The family of Poole, of Sykehouse and Drax, sprung originally from the Pooles of Spinkhill, in the county of Derby. Baxter informs us, that the ancestor of Matthew Poole, was one of the first to embrace the reformation; and was in consequence driven away from Spinkhill, by another branch of the family who was as zealous for popery. There is a pedigree of this family in the Herald's Office, which traces the family for nineteen generations. Richard Poole, of Sykehouse, had issue Francis Poole, Esq. of York, who married the daughter of ——— Toppin, Alderman of York; and a second son called William. Francis had issue Matthew Pool, the industrious author of the *Synopsis Criticorum*. He succeeded Dr. Tuckney at St. Michael's, London, where he faithfully discharged the duties of a pastor for fourteen years, till he was silenced by the Bartholomew Act. He retired to Holland, where he died, greatly lamented by all who knew him; for "he was pleasant in his conversation, true to his friends, strict in his piety, and universal in his charity."

William Poole, the younger son of the above Richard, had issue Capt. Samuel Poole, of Leeds, and Capt. Joseph, of Wakefield. They had commissions in the army of the parliament. Joseph was engaged in the siege of our castle, as above stated. Capt. Samuel had issue, by Silence, daughter of Peter Saxton, vicar of Leeds, David Poole, Josiah and Obadiah. David Poole married Mary, relict of ——— Massey, Esq. by whom he had Josiah Poole, of Liverpool, merchant. Josiah Poole married ——— and had issue David Poole, of Youngsbury, Herefordshire, Prime Sergeant at Law. This David married Jane, daughter and heir of John Bird, Esq. of Youngsbury, and had issue Josiah Poole, Esq. of Knottingley, who dying unmarried, at Bath, the estate has descended to his younger brother, David Poole, Esq. of Ackworth.

resolution should be formed at the time of his dismissal, clearly indicates that he sensibly felt the mortification of disappointed hope in the career of ambition; and it is probable that his future conduct was regulated as much by a spirit of revenge as by the impulse of loyalty.

As an officer who had hitherto distinguished himself in the cause of the parliament, he was readily admitted to the confidence of Cotterel, the governor of our castle. A continual intercourse produced on the part of the governor a sincere friendship, and he honoured him with every mark of genuine esteem and regard. Morrice visited the castle when ever he pleased, and sometimes remained there for a week, eating at the same table, and sleeping in the same bed, with the governor. By the sprightliness of his temper, and the vivacity of his wit, he banished the tedium of military duty, and gained such an ascendancy, that the governor parted from him with reluctance, and was impatient for the repetition of his visits.

While Morrice had the address to secure the friendship, and render himself almost necessary to the comfort, of the governor, he had entered into an agreement with the royalists to surprise the castle. When these met together in considerable numbers to devise means to effect their purpose, he never appeared among them; and only the three Pauldens seem to have known his intention. To keep clear of all suspicion he associated with some of the most zealous friends of the parliament.

To try the spirit of the country, he went to all the neighbouring towns on market-days

and at their fairs, and entered into free conversation with men of every description. The information which he collected, he communicated to the royalists for their direction, and in like manner to the governor to preserve his confidence and favour.

The royalists were accustomed to meet at the house of the Rev. Mr. Beaumont, rector of South Kirkby. At one of their meetings, one of the Pauldens informed them, "that a gentleman on whom they might rely with the utmost confidence, would surprise the castle whenever they should think the season ripe for it." He therefore advised them to desist from any attempt, and wait till they should receive directions how to proceed, and assured them of final success. He observed, that if time, place, and other circumstances were fixed, and communicated to all engaged so long beforehand, it was probable the design would be detected and finally frustrated. They agreed to enlist men who should be ready to take arms when required; and they soon obtained about three hundred foot and fifty horse, who had served under them in the preceeding war.

While measures were thus adopted without, Morrice was no less active in carrying on his design within the castle. He corrupted Major Ashby, Ensign Smith and Sergeant Lloyd, and a corporal, who entered into his plan, and engaged to assist in surprising the fortress. The garrison did not exceed one hundred men, and many of these were quartered in the town; so that it appeared not difficult to seize the fortress, provided the design should not be discovered.

To prevent all suspicion on the part of the governor, Morrice, as if concerned for his safety informed him, "that he ought to take great care that he had none but faithful men in the castle, as he was confident there were some men who did not live far off, and who many times came to visit him, who had some design upon the place." He however assured him, "that there was a false brother amongst them, who would not fail to give him timely notice of their design; and that whenever they should be ready to make the attempt, he would throw himself into the castle with forty or fifty resolute men, whom he had engaged for that purpose, and who with the garrison would be sufficient to defend the place, and repel any attack.

The persons whom Morrice privately engaged were zealous adherents of the parliament; and some of these he occasionally brought with him to the castle, and mentioned them to the governor, as the persons who were prepared, whenever it should be deemed necessary to come to his assistance. The governor had no suspicion of the insincerity of Morrice; and his pretended zeal for the cause, in endeavouring to detect the design of the royalists, and in adopting prudent measures to prevent its accomplishment, increased his confidence in him.

The state of the country, and the meetings of the royalists in different parts, at length raised a general suspicion of some design against the castle*; and Cotterel received several

* Nov. 30, 1647, letters from Major Gen. Poyntz informed of a design to surprise Pontefract for the king. Vid. WHITLOCK.

letters from his friends requesting him "to take care of Col. Morrice, who had resolved to betray him," for he had been at the meetings of some men who were most malignant. Morrice, who now attended the meetings of the royalists, pretended to inform the governor of what passed, so that on the reception of such letters, the governor shewed them to him and they both smiled.

On such occasions Morrice said, "that though the governor had no mistrust of his friendship, and knew him too well to think him capable of such baseness, yet for his own sake, he ought not to slight the information, as it would make, his friends less careful of him; and that if he had not informed him respecting them, there would be just reason to suspect him of an intention to betray the castle; that on this account it would be better for him to retire to his own house, till such time as jealousy and suspicion had subsided."

In this artful manner he managed the governor, and by making pretended discoveries of the royalists, he rendered it necessary for himself to be consulted in order to frustrate them. General Poyntz, who formed a true estimate of the character and principles of Morrice, faithfully warned Cotterel to guard against his duplicity and treachery; but he judging of the sincerity of Morrice's profession of friendship and zeal from his own, neglected the warning.

At length the time for this bold and enterprising man to strike the blow he had long meditated, approached. The daily risings of the royalists in England, and the alarms of the Scottish invasion, led the party who had confe-

derated with Morrice to make the attempt. They had waited some time impatiently for an express order from Sir M. Langdale, who had in the north surprised Carlisle and taken Berwick; but none arriving, they supposed that one must have been sent, but had miscarried. They waited on the Pauldens, and maintained that to delay the attempt longer would be dangerous; and the Pauldens waited on Morrice to fulfil his engagement.

The time agreed upon was a certain night* when the corporal, whom Morrice had corrupted, should be upon guard, and when the gentlemen engaged were to be ready near a particular part of the wall, where the corporal would place sentinels acquainted with the design, and who were to aid in the attempt. Morrice himself hastened to the castle, and on that very night slept, as usual, with the governor. The gentlemen, to the number of eighty on horseback, each carrying a footman behind him, came according to appointment, but a circumstance, which could not be foreseen, occurred, and prevented the accomplishment of their scheme. The corporal had got drunk the evening before, most probably with the intention to render himself more bold and daring, in the proposed assault. Overpowered by sleep he forgot his engagements, and being unfit for duty, another person was appointed sentinel on that part of the wall which was to be scaled.

The gentlemen had brought with them scaling ladders, and whatever they conceived necessary to the success of their enterprise. On

* May 22, 1648. Vid. WHITLOCK.

mounting their ladders, the sentinel discovered them, called out to them, ran to the court of the castle to call for assistance, and gave a general alarm. Supported by the other men on duty he returned, and commencing a vigorous fire on the assailants, they were compelled to fly, leaving a ladder in the ditch.

On the alarm being given Morrice arose, and finding the design defeated, took an active part in the castle. Being with the governor at the time this attempt was made, was a circumstance to which either suspicion or confidence might be attached; and Morrice and his accomplices had the good fortune to escape detection.

The next morning the ladder which the assailants left in the ditch, was a sufficient proof that a real attempt had been made to surprise the castle. The troops collected for this attack, on being discovered, dispersed. One half of the horse marched north, and joined Langdale; the other kept in the woods, while they sent spies into the castle, to gain information whether their friends within were safe, or whether the whole plot had been detected, and they were secured and confined. The spies soon returned, and brought them the pleasing intelligence, that the enterprise had only failed through the intoxication of the corporal, but that neither Morrice nor any of his accomplices were in the least suspected. They now departed to their own homes, to take other measures for the accomplishment of their design.

The governor now became more vigilant, and ordered all those soldiers, who had slept in the

town, to repair to the castle. But this vigilance proved the very means of the castle being surprised, and himself made prisoner. For granting warrants to fetch beds and provisions, against an appointed time, out of the country for the accommodation of the garrison, Morrice and Capt. William Paulden, disguised like country gentlemen, with nine others like plain peasants and constables to attend and guard them, having pocket pistols, daggers, &c. concealed under their garments, appeared at the castle gate, with carts loaded with provisions, Beds, &c. On their arrival the draw bridge was soon let down, and the beds and provisions having been delivered at the main guard just within the gate, money was given to some of the sentinels to fetch ale, on pretence to make them merry. Scarce had these departed when Morrice and his friends seized on and mastered the main guard, made way for their friends horse and foot to enter, and then drew up the draw bridge; they forced most of the guard into a dungeon about thirty steps in depth, which would hold about three hundred men. One of the confederates, reserved for that purpose, went to shew Captain William Paulden, and a few others, the sub-governor's apartment, whom they found newly laid down on the bed in his clothes, with his tuck or long sword beside him. The captain told him the castle was surprised and himself a prisoner. Cotterel suddenly arose and made a home thrust at the captain, who parried the attack, and equal valour was displayed on both sides, till the governor, finding himself sorely wounded in the head and arm made a

desperate lunge at Paulden, but missing his aim, had the misfortune to break his tuck against the bedpost. At this moment entered Morrice and the other officers and gentlemen, of whom he had been so often warned. To attempt a longer defence against such numbers would have been vain and useless; and nothing now remained but to beg quarter, which was readily granted. Morrice comforted him with the assurance "of good usage, and that he would procure his pardon from the king for his rebellion." However he was sent to his men in the dungeon. Notice of the affair having been sent to Capt. Tho. Paulden, he marched into the castle with thirty horse; and about five hundred foot, part of the king's scattered troops joined them soon after. This happened the 6th of June, 1648, which being the market-day, afforded them an opportunity of furnishing themselves with all manner of provisions from the town. They found in the castle a good quantity of salt and malt, with four thousand stand of arms, a good store of ammunition, some cannon, and two mortar pieces.

The conduct of Morrice towards Cotterel merits general infamy. He had been the object of his sincere regard, and unsuspecting confidence. He had eaten his bread, and on all occasions had been treated with such kindness as ought to have unnerved the arm of an enemy, and subdued malignity itself. Nor let it be supposed that the end justified the means. He might have been loyal without being treacherous; he might as a friend to the king have thought it his duty to surprise the castle, but he ought

to have preserved sacred the claims and the rights of friendship. The man, who had by turns betrayed all parties, whatever his talents might be, can have no claim to be considered in any other light, than as totally destitute of principle, and governed solely by caprice, revenge, or ambition.

The regular troops of the parliament were principally under the command of Gen. Lambert, who had been sent to watch the motions and check the progress of Sir Philip Musgrave, and Sir Marmaduke Langdale, in the north. The committee of the militia in Yorkshire, immediately appointed Sir Edward Rodes* and Sir

* Rodes, Sir Edward. Wilson derives the pedigree of this family from the Rodes', Barons of Horncastle, in the county of Lincoln. In the Milnes Pedigree, (Beetham's Baronetage,) there is no notice of any connection between the two families; and the account begins with Francis Rodes, of Staveley Woodthorpe, in the county of Derby, Esq. one of the judges of the Court of Common Pleas, in the time of Eliz. He died Jan. 7, 31st year of Elizabeth. The judge was twice married, and had issue by both his wives. The eldest son of the first marriage, was Sir John Rodes, of Balborough, whose second son, Sir Francis Rodes, was created a Baronet, August 14, 1641. The second son of the first marriage, was Sir Peter Rodes, of Hickleton, in this county.

Sir Godfrey Rodes, of Great Houghton, in the county of York, the fourth son of the Judge, but eldest son of the second marriage, had issue Sir Edward Rodes, of Great Houghton, Knt.. In the Civil war, he took an active part in favour of the parliament. The great Earl of Strafford married his daughter, and on this account he was suspected of not being hearty in the cause. He was taken into custody, and with the Hothams committed to the Tower, but as nothing could be proved against him, he was liberated. He seems however, to have acted on principle, and we find him engaged throughout this contest in the support of the parliament. After the battle of Preston, he was ordered by Cromwell to

Henry Cholmley, to levy troops, with orders to draw near to Pontefract, and if they found themselves not sufficiently strong to form the siege of the castle, then to endeavour to keep in the garrison, and preserve the surrounding country from being plundered.

A week elapsed before these orders of the committee could in any degree be executed;

collect what troops he could, and pursue the flying Duke of Hamilton. He lived till after the restoration, and in the 2d of Charles II. was High Sheriff of this county. As he continued a Dissenter, it is probable his connection with Wentworth, Earl of Strafford, whose attainder was reversed after the restoration, was the reason why he was permitted to fill this office. His house became an Assylum to the ejected Ministers, who refused to comply with the act of Uniformity.

He had issue William Rodes, of Great Houghton, Esq. his third son, and at length heir, who married Frances, daughter of R. Wilson, of Leeds, merchant, who was great-grandfather to Christopher Wilson, late Bishop of Bristol, father of Christopher Wilson, of Elmsal Lodge. William Rodes, had Richard Rodes of Great Houghton, Esq. who married Martha, daughter of Elkanah Rich, of Bull-house, in the parish of Penniston, Esq. and only sister of the whole blood of Aymer Rich, Esq. of the same place. The said R. Rodes, died February 4, 1720—1, and had issue by the said Martha, his wife, two daughters coheirs, of whom Mary, the eldest died unmarried, March 14, 1789, and was buried at Darfield; Martha, the younger, married Hans Busk, of Leeds, merchant; and had issue by him, Mary Anne, married to the late James Milnes, of Thornes House, Esq.; Martha, who died unmarried; and Rachel, who married R. Slater Milnes, of Frystone, Esq.

The family of Milnes, to which the Rodes' estates have descended, is originally from Ashford, in the county of Derby, and in the court rolls of the manors of Ashford, can be traced back as chief copyholders, to the time of Edward I. The pedigree of this family exhibits a most striking instance of commercial enterprise and success; and it may be questioned whether it can be equalled in this respect, by any other family in the kingdom. Vid. BEETHAM.

and in this period the royalists put the garrison in good order, and repaired and renewed such fortifications as they judged necessary for their defence. They supplied themselves with provisions of all sorts; and such numbers of their friends came into the castle from the counties of York, Nottingham, and Lincoln, that they became sufficiently powerful, not only to defend the castle, but commence offensive operations against the enemy. Among those who now entered the castle were Sir John Digby, Sir Hugh Cartwright, his son and a nephew, who had all been good officers in the royal army, during the preceding war, and were now readily joined by many of the soldiers who had been under their command.

The gentlemen and soldiers who formed the garrison chose Col. Morrice to be their governor. His military talents were well known, and no one appeared more fit to enjoy the command; but he had too much experience wholly to comply with the wishes of his fellow soldiers. He was aware, that as there were gentlemen of rank and fortune in the castle much superior to himself, jealousy and discord might be the consequence of his acceptance. He therefore recommended Sir John Digby, who had received a commission as commander of these parts, to the honourable rank of governor. Sir John, though hearty in the cause, was sensible that he was not equal to the command, which led him to refer all things to the counsel and conduct of those officers who were under him; and as Morrice was one of the most distinguished among them, he may be considered as the real, and Digby as the nominal, governor.

At the time the castle was surprised, the garrison had not provisions for more than a month; but such was the success of different parties sent out to forage, that they soon obtained supplies for several months, in case they should be hemmed in, and have to sustain a siege. Before the troops under Sir Henry Cholmley were sufficiently powerful to keep in the garrison, a party from the castle seized on three hundred cattle from the north, at Knottingley. They were under a guard of two troops of horse, commanded by Capt. Clayton. The party from the garrison consisted only of thirty horse and six foot, who sallied forth in the night, attacked and routed the enemy, and took many prisoners. The contest was desperate between the horse on each side, and the royalists, in being so much outnumbered by the enemy, gained greater honour in the victory*.

Another party from the castle had, on the 3d of July, pushed forward as far as the Trent, and taken the Island of Axholm. They afterwards proceeded to Lincoln, where they plundered the friends of the parliament, and took Capt. Bret, Capt. Fines, and Mr. Ellis prisoners, and killed Mr. Smith, an officer of the

* The above is the statement of Lord Clarendon. Paulden gives a more credible account of this affair. "Having notice that there were at Knottingley three hundred head of cattle from the North, going South, under a guard of five troops of horse, we marched forth at night with thirty horse, and half a dozen foot, with half-pikes to drive the cattle. We faced the troops, that guarded them, while our foot drove the herd towards the castle; then we followed, and kept betwixt them and danger, the enemy not daring to charge us, and we all came safe to the castle." Paulden's Letter.

sequestrations. The conduct of this party was highly imprudent, in pushing forwards to so great a distance, unsupported by any body of reserve. Had they retreated precipitately, they might probably have reached the castle in safety; but instead of adopting this line of conduct, regardless of danger, they remained for some days in Lincoln, and its vicinity. In their progress numbers of royalists had joined them, and the horse now amounted to one thousand, besides the infantry. Col. Rossiter fell in with them on their return, at a place called Wilboughby Field, routed the whole party, took both horse and their riders, the commander in chief and all his officers, with all their bag and baggage; the remainder fled, and there were not many slain*.

The disaster which befel the last mentioned party, did not prevent other parties from issuing forth on similar plundering expeditions; and by raising contributions, they rendered themselves terrible to the adherents of the parliament. They took many substantial men prisoners, whom they carried to the castle and detained there, till they redeemed themselves by the payment of large sums of money for their ransom. Sir Arthur Ingram † was carried off from

* WHITLOCK, p. 318.

† Ingram, Sir Arthur, a wealthy citizen of London, purchased the manor of Temple Newsome, and other lands in Yorkshire, and was High Sheriff of the county of York, in 1619. He had a son Arthur, who was also High Sheriff in 1630. On the commencement of the Civil war, he took the part of the parliament, and continued to adhere to the same cause. The royalists paid him this domiciliary visit, and retorted on him the conduct of the parliamentarians.

his own house at Temple-Newsome, by a marauding party; nor could he regain his liberty until he had paid fifteen hundred pounds.

While these events occurred in this place and neighbourhood, Cromwell had completely subdued Cols. Langhorn, Powel, and Payer, and the whole of Wales. He afterwards pushed through Cheshire and Lancashire, and joined Lambert about Knaresborough. The Duke of Hamilton, with the Scotch, had entered England and joined Langdale, and they had marched by way of Kendall, towards Lancashire. Cromwell pursued them, and coming up with the horse under Langdale, at Preston, immediately commenced an attack. The charge was so vigorous that the royalists were driven from their posts, with the loss of about one thousand slain,

He had a son, Sir Thomas, who was in favour with Charles II.; and was appointed Chancellor of the Duchy of Lancaster, and sworn one of his Majesty's privy council. He married Francis, daughter of Viscount Falconberge; but dying without issue, was succeeded by his brother Sir Arthur, and he by his eldest son, Sir Henry, who having manifested his loyalty to King Charles I. and II. was by the latter created Lord Ingram, and Viscount Irvine or Irwin. He married Lady Essex, eldest daughter of the second Earl of Manchester, and had issue two sons and a daughter.

Arthur, who succeeded him as second Viscount, married Isabel, daughter of John Mitchel, of Horsham, in Essex, Esq. by whom he had issue seven sons, Richard, Edward, Arthur, Henry and Charles, successively Viscounts Irvine; Geo. canon of Windsor, and chaplain to the House of Commons; and William, an eminent merchant in Holland. By the failure of the male line, the title became extinct in 1782. The female branches have married into some of the first families in the kingdom.

A younger branch of the Ingram family settled at Knottingley, which has now become extinct.

and numbers taken prisoners. Capt. Timothy Paulden, one of those gentlemen who had first agreed to surprise our castle, added to the number of the slain. He was major in Col. Boynton's regiment, under the Earl of Derby, and was unfortunately shot as he was crossing a small stream.

The successive defeats of the royalists at Wigan, Warrington, &c. destroyed the hopes of that party. The garrison here were sensibly affected with these events; and particularly at what had befallen their old general, Sir Marmaduke Langdale. He and some others, with a part of the Scotch army, had fled to Uttoxeter, in Staffordshire. Gen. Lambert pursued them with such rapidity that they were immediately assaulted, and Duke Hamilton with most of the officers taken prisoners. Langdale, it is said, disguised himself, and with a few others, made his escape; but was taken soon after near Nottingham, and committed to the castle there.

The garrison now began to foresee the calamities to which they would be soon exposed. The king had not an army in his whole dominion to which they could look for relief; nor was there another 'fortress, except Scarbro', which held out for him. The only circumstance, which could brighten the general gloom, was the unsettled state of the country. In a period when the most uncommon and extraordinary events daily occurred, it might be hoped that something of a favourable nature would arise, and that at least peace would be established between the king and his parliament.

About this period the garrison was sum-

moned to surrender the castle, but either the terms offered were deemed dishonourable, or the spirit of the garrison was too high to submit. It appears that a treaty of some kind had been entered into betwixt the besieged and the besiegers, as letters directed to the parliament from the committee at York, informed the House "that the treaty about Pontefract not taking effect, they desired twenty thousand pounds for the soldiery," and the house ordered twelve thousand *."

Lord Fairfax, general in chief, appointed Gen. Rainsborough to command the troops before the castle of Pontefract. Sir Henry Cholmley †, who had been appointed to this command.

* WHITLOCK, p. 336.

† The family of Cholmley has long been seated at Whitby, Goldston, and Roxby, in the North Riding of this county. Sir Richard Cholmley, of Whitby, was high sheriff of this county, in the first of Edward IV. He married two wives, first, Margaret, daughter of William Lord Coniers, and by her had issue three sons, Francis, Roger and Richard, and three daughters, Margaret, (who married Sir James Strange-ways, of Great Speaton,) Elizabeth, (who married Roger Beckwith Esq. son and heir of Sir Leopard Beckwith, of Selby, Knight,) Ann and Jane.

His second wife was the daughter of Henry Lord Clifford, the first Earl of Cumberland, and the widow of John Lord Scroop, of Bolton. By her he had issue John, who died young, Henry, and Catharine, who married R. Dutton, Esq. of Whitby.

Francis, son and heir of Sir Richard, married Joan, daughter and coheir of Sir Richard Bulmer, Knight, but died without issue.

Sir Henry Cholmley, Knight, second son by his second wife and heir to Francis, inherited the estate and married Margaret, daughter of Sir William Bapthorp, of Bapthorp, Knight. He had issue Sir Richard, Henry, John, and Barbara, (who married Sir Tho. Bellasis, Bart. afterward created Visct.

by the committee of the militia, was highly offended at this appointment, and petitioned parliament against it. He seems to have considered it as a reflection on his honour and talents, and in his letter asserts "that the disparagement to him would be great." The House referred the letter and the whole of the business to General Fairfax, to settle it as he should

Falconberg) Margaret, Dorothy, Hilda, and Mary, (who married Henry Fairfax, Rector of Bolton Percy, and second brother to Ferdinando, Lord Fairfax, of Denton,) Ann, Susanna, and Arabella.

Sir Richard, son and heir of Henry, married two wives; first, Susanna, daughter of ——— Ledyard, of Gattón, Esq. by whom he had issue, Sir Hugh, Sir Henry, (who married Katharine, daughter of Henry Stapleton, of Wighill, Esq. widow of Sir George Twisleton, of Barlow, near Selby,) and two daughters, Mary and Ursula.

His second wife, was Margaret, daughter of Wm. Cobb, Esq. and by her, he had issue Sir Richard, (who married Margaret, daughter of John Lord Powlet.) This Sir Richard Cholmley, was High Sheriffe, 1623.

Sir Hugh, his son and heir, (married Elizabeth, daughter of Sir William Twisden, of East Peckham, in Kent,) and had issue Sir William, Sir Samuel, Hugh, Elizabeth and Ann. This Sir Hugh was created a Baronet in the year 1641. On the breaking out of the Civil war, he threw himself into Scarborough Castle, of which he was governor for some time. He attended on the queen, with eight thousand horse and foot, which cost him £10000, and for which he afterwards suffered a tedious banishment, and paid for his delinquency £1830.

Sir Henry, his younger brother, espoused the cause of the parliament; was appointed one of the committee of the militia for Yorkshire, and commanded the troops before our castle. This is a singular instance of the unhappy divisions made in families during these troublesome times; brother literally rose up against brother.

The baronetage has become extinct; and the male line of one of the branches has ended in an heiress, whose husband has by licence again taken the name of Cholmley, and resides at Housham.

think proper, but to take care to preserve the honour of Sir Henry Cholmley, and that the business be carried on against the enemy*."

Cromwell, having settled the affairs of Scotland, and left Gen. Lambert there with a few regiments, marched at the head of the rest of his forces into England. When he reached Newcastle he was received with every mark of respect and honour; and he continued there for some time to settle the affair of the northern countries. He however dispatched a body of troops to Pontefract, to strengthen the besiegers; and on the 30th of October the troops of the parliament, in and about Pontefract, kept a day of thanksgiving for his success in Scotland†.

While the besiegers were thus exulting in the victories they had obtained, the besieged were suffering the vexation of disappointed hope, and envying the superior felicity of their enemies. They did not however sink into a state of apathy and indifference, but retained their usual valour and prudence. They were as bold and courageous to attack their enemies, by well conducted sallies, as they were resolute and firm to resist when attacked. A party from the garrison issued forth on the 31st, and fell on the besiegers with such impetuosity as to bear down all before them. In this rencontre they slew many, and made some prisoners‡.

On some occasions both the besiegers and the besieged rested on their arms, and drank to one another by the name of brother *Roundead*, and brother *Cavalier*; epithets which distinguished

* WHITELOCK, p. 344. † Ibid. p. 346. ‡ Ibid. 346..

the adherents of the parliament, and of the king*.

The besiegers had not hitherto made any impression on the garrison; nor had they straitened and confined them in any great degree, as they still kept possession of the New Hall, as an outwork to the castle. The little progress made in the siege, notwithstanding the numbers of men employed, sufficiently proved that either Sir Henry Cholmley was unequal to the command, or that he was negligent in the discharge of the duties of his office. It is probable that Gen. Fairfax, who knew the strength of the castle, considered a more able and experienced officer necessary to reduce it; and that on this account he adhered to his former appointment of Gen. Rainsborough to the chief command.

Whether Rainsborough ever came to Pontefract, to take the command, is not clear. It appears from letters sent from York to the parliament, that the difference between Sir H. Cholmley and Rainsborough gave great advantage to the enemy†. From this it should seem that Rainsborough did come, and that Sir H. Cholmley would not give up the command to him. If Rainsborough did come he must have soon departed, and left Sir H. Cholmley again to conduct the siege.

The unsuccessful manner in which the siege was carried on, at length compelled the general in chief to send Rainsborough, with two regiments of horse and twelve hundred foot, to take the command. He had reached Doncas-

* WHITLOCK, p. 346;

† Ibid.

ter, where most part of the infantry were lodged, and the horse lay east and west of the town. On his arrival Capt. W. Paulden formed a scheme to surprise and take him prisoner, with an intention to exchange him for Sir M. Langdale, his old general. The scheme, on reflection, would seem rash and wholly impracticable. How could a few men surprise a general in the midst of his troops? What seems improbable on the ground of reason is often rendered certain by the united efforts of prudence and courage.

At midnight, on the 31st of October, Capt. Paulden, taking twenty-two select men in whom he could most confide, well mounted, rode through the open gate over the meadows between two of the enemy's horse guards, whom by favour of the night, they passed. They were all good guides, and understood the ways public and private very exactly. At break of day they reached Mexborough, from whence they sent a spy to Doncaster, to know if there was any previous caution sent against them, and ordered him to meet them at Conisborough when the day was closed. In the mean time they refreshed themselves and their horses till about noon. At night the spy returned, and assured them there was no mistrust, and at sunrise a person would come with a Bible in his hand, as a silent indication that all was right according to their earnest desire. On the following morning, by break of day, the man accordingly came; and Capt. Wm. Paulden then divided his twenty-two men into four parties, six were to attack the main guard, six the guard upon the bridge, four were ordered to

Gen. Rainsborough's quarters, and the captain with the remaining six, after he had seen the four men enter the general's lodgings, was to beat about the street and keep the enemy from assembling. On their approach to the town, attacking the first barricadoes, the soldiers fled into the country, and the guard on the bridge, having flung their weapons into the water, scampered for their lives. The main guard was suddenly surprised by an interposition between them and their arms; and the men were ordered to disperse and make the best of their way out of danger. In the mean time the artful captain and his men were tracing the town, to prevent their enemies from joining together. Those royalists who came to the general's lodgings, pretended to the guard and the lieutenant, who were on duty, that they had brought letters from Oliver Cromwell. The gate of the inn being opened, three of them only went in, the other rode to the bridge, leading to Pontefract, where he expected and found a guard of horse and foot, with whom he entered into discourse, telling them "that he stayed for his officer who was gone in to speak with the general," and called for some drink. The guards making no question of his being a friend, sent for drink and talked with him of news, and it being now broad day, some of the horse alighted, and the foot went over to the court of the guard, conceiving that morning's work to be over. Of the three who entered the inn gate, two only went up, and the other remained below and held the horses, and talked with the soldier who had walked with them from the

guard. The two, who went up stairs, were introduced by the lieutenant into Rainsborough's chamber. He had been awakened by the noise of opening the door, but was still in bed. They delivered to him a packet containing only blank paper. While he was employed in opening it, one of them seized his sword, and the other disarmed the lieutenant, and then informed him, "that he was their prisoner; and that if he would arise and without resistance or delay, put on his clothes and go along with them, they assured him not a hair of his head should be hurt; but if he should delay or resist, they declared, they would instantly put him to death." Not having the means of resistance, nor knowing the strength of the enemy, and astonished at this unexpected event, the general yielded to the necessity of his circumstances, and prepared to go with them.

Having dressed himself as speedily as possible, he was led down stairs and conducted into the street. Expecting to find the whole town occupied by the troops of the enemy, and on coming into the street, perceiving only one soldier, who held the horses of the other two, impelled by his native courage, he felt indignant at the thought of submitting to be led away like a captive, and immediately called out for assistance. The royalists now seized him, with the resolution of binding and placing him behind their companion, who had already mounted his horse, and had designed in this manner to have conveyed him to the castle of Pontefract. Rainsborough, although without arms, exerted his utmost efforts to disengage

himself; and during the struggle, one of the royalists unfortunately let his sword and pistol fall. The latter instrument of death was instantly seized by Rainsborough's lieutenant; who immediately prepared to discharge its contents at Capt. W. Paulden. Lieutenant Austwick, who was the person that had mounted his horse, in order to take Rainsborough behind him, no sooner observed the pistol in the hand of an enemy, than he sprung from his horse, and ran him through the body. The pistol was already cocked, and had not Austwick prevented its discharge, its contents would have been fatal to Paulden.

Rainsborough still continued the unequal contest. His opponents found him to be a brave and a veteran soldier, who respected his honour more than his life. He had already received a wound in his neck; but springing upon his feet, and having seized the fallen sword, would have slain his opponents, had not Austwick, enraged at so desperate a resistance, once more come to the assistance of his companions. He ended the contest by a home thrust of his sabre, which laid Rainsborough dead at his feet.

On this they mounted their horses, and rode towards their companions, before any of the troops of the enemy could collect together. The different parties of royalists, having joined, marched towards the bridge; and dispersing the guard in all directions, took the shortest course towards Pontefract.

This unexpected attack had thrown the town of Doncaster into the utmost consternation. Some of the soldiers rose from their beds, and fled across the fields undressed. Others came into

the street; and on seeing their general and the lieutenant weltering in their blood, but meeting with no enemies, were wholly at a loss how to act. As they did not know what direction they had taken, they could not with propriety pursue. So that the royalists, without the least injury to man or horse, and having taken in their return forty or fifty prisoners, reached the castle in safety.

Had the design of the royalists been to have murdered Rainsborough, they ought to be considered as no better than midnight assassins. In this case the whole transaction will appear barbarous and cruel, and altogether unbecoming the character of the valiant and the brave. As one* of the actors in this fatal tragedy has assured the public this was not their design, truth compels us to acknowledge the whole justified by the laws of honour and of war. Their old general had been taken prisoner, and the garrison had been threatened, "that unless they surrendered the castle, he would be brought and executed before its walls." Love to him prompted them to take Rainsborough prisoner, that in case any violence was offered to him, it might be retorted on Rainsborough, or at least the one be exchanged for the other.

Such was the design, and it appears from the detail, that the tragical event that occurred, arose from particular circumstances. It is obvious that if the general had made no resistance his life would have been spared; but as he did resist, the law of self-preservation compelled the royalists to act as they did. Had they left

* Paulden's Letter.

him to have collected his troops, their number was too small to have withstood the charge; and they must either have fallen by the sword, or have been made prisoners.

On their return from this expedition, they had the satisfaction to hear that Sir Marmaduke Langdale had fortunately made his escape* from Nottingham castle. He fled to Prince Charles, then in exile; and on his return with him at the restoration, in remembrance of and gratitude for his services, was made a baron of the realm, by the title of Baron Langdale, of Holm, upon Spaldingmoor, in this county.

But a few days turned their joy into grief, for the loss of the courageous and heroic Capt. W. Paulden who died in the castle of a high fever, and was buried in the chapel of St. Clement.

* Sir Marmaduke Langdale owed his escape to Lady Saville, wife of Sir William Saville, of Thornhill, in this county, the daughter of Thomas Lord Coventry, Lord Keeper of the Great Seal. This lady was uncommonly attached to the royal cause. She relieved many of the royalists in distress. She was always suspected by Cromwell's party to be the author of many of those plans for liberating some of the most distinguished royalists, which so frequently proved successful. She conducted her designs respecting Langdale with such secrecy and address, that he was liberated from prison, and got safe abroad, before his enemies knew that he was missing. This lady was as heroic as prudent. She had entered into Sheffield Castle, when far advanced in a state of pregnancy. The castle was closely besieged, and battered with some heavy ordnance. The besiegers refused to permit a proper person to go and attend her in that situation, hoping she might be induced to favour the surrender of the castle; but she wholly disregarded her own life and rejected every proposal, determined to hold out the castle for the king. At length the soldiers mutinied, and obliged her to capitulate; not through disaffection to her, but in order to save her life. The night after the castle was surrendered she was safely delivered.

After this singular event, the besiegers do not seem to have been more successful than they had hitherto been. Sir H. Cholmley sent letters to the house, complaining of the mismanagement, and ill success of the siege. From this it should seem that there was either a spirit of insubordination among the troops, or a general disagreement among the officers. The vigilance, activity and courage of the garrison, put them on severe duty as well as exposed them to severe losses; and it cannot excite surprise, that both officers and men should disrelish the service*.

At length Cromwell himself arrived here, and adopted every measure to restrain the excursions of the garrison, and to reduce them to surrender the fortress. The name of Cromwell, like that of the modern scourge of Europe, inspired terror, and nearly of itself gave success to his enterprises. Relying on this and the general circumstances of the country, he summoned the governor to surrender the castle to the use of the parliament†.

The governor did not think it prudent to treat this summons with absolute indifference, but replied "That if General Cromwell was authorized to treat with the garrison, and was possessed of powers to perform the conditions, he was ready to enter into such treaty." As Cromwell had no particular powers given to him for this purpose by parliament, the governor was not satisfied; nor did he think it prudent to treat with Cromwell, on the authority which he possessed as lieutenant general. In conse-

* WHITLOCK, p. 346.

† Ibid. p. 348.

quence of this the siege was prosecuted with greater vigour. Lines of circumvallation were drawn wholly around the castle, and forts erected in places deemed most proper to check the garrison, and prevent them obtaining any supplies*.

On the 15th of November, Cromwell sent letters to the House, stating the necessities of his troops before Pontefract Castle, and requested immediate supplies. This letter was referred to the committee of the army to consider of the particulars, and to supply them. An order was given for two hundred and fifty barrels of powder, with match and bullet proportionable, to be sent for the forces before the castles of Pontefract and Scarborough†. An order was also given, on the 18th, for two great cannon to be sent to the same troops, in order to facilitate the reduction of these places.

At this period both the king and parliament were placed in the most critical circumstances. On the departure of the army from London, the parliament had resumed its usual vigour, and unawed by the presence of the army, had acted with its usual spirit of independence. The leading members had exerted themselves to bring about an agreement with the king; and as the army had now wholly subdued the Scotch, it seemed the interest of both parties to come to an immediate agreement, in order to prevent the dreadful catastrophe which soon followed. The king, in the conference at Newport, remained fixed to the Adage of his Father, No bishop, no king; and on the other hand the

* WHITLOCK, p. 348.

† Ibid p. 349.

House was equally resolved to establish the Presbyterian form of church government. Thus by the unyielding spirit of both parties the time was spent and nothing concluded.

The army, under the direction of a council of their officers, now began, not to petition the House, but by their general in chief "to demand justice upon the king." This language clearly indicates that the design of putting the king to death was already formed; and the petitions of the army were intended only to prepare the public for the event. Every regiment engaged in the siege of our castle, presented petitions to Cromwell, which he forwarded to the general, breathing the same spirit. On the remonstrance of the army at St. Albans, and the seizure of the king by Col. Ewer, Cromwell wrote, from Knottingley, expressing his approbation, of what the officers and army had done*.

The superior number of the forces of the enemy to the besieged, and the vigorous manner in which the siege was conducted, began now to produce its natural consequences. Some of the garrison were dispirited, as they could not have the least foundation to hope for any relief. Others, by deserting to the enemy, equally betrayed the cause they had espoused, and the fears which influenced their conduct. The garrison however contained many whom no dangers could appal; nor any circumstances induce to forfeit their honour. At this period they made a desperate sally; but after an arduous contest, in which many were slain, they were compelled by superior numbers to retreat to the castle†.

* RUSHWORTH, Vol. 7. † WHITLOCK, p. 357.

Cromwell, who had now remained a month before this fortress, and who doubtless would have been glad to have had the honour of terminating the siege, found it necessary to depart, and join the grand army under Fairfax, in order to accomplish the design which had been formed. Previous to his departure he had sent for General Lambert out of the north, and appointed him to the chief command of the forces before the castle. Lambert arrived here on the 4th of December*.

Instructions had been given by Cromwell to Lambert to take vengeance on the garrison for the loss of Rainsborough†; and having brought with him what forces he thought necessary, the castle was more closely surrounded than ever. He raised some new works; and by regular approaches towards the castle, effectually cut off all correspondence and supplies, hoping the garrison would at last yield to famine, if nothing else could subdue them. Although the garrison made several bold and vigorous sallies, in which many lives were lost on both sides, these efforts were unavailing, and they were uniformly compelled to retreat.

During these transactions Col. Pride had de-

* WHITLOCK, p. 359.

† There was not an officer in the army whom Cromwell would not more willingly have lost than this man, who was bold and barbarous to his wish, and fit to be entrusted in the most desperate interest, and was the man to whom that party had always intended to commit the maritime affairs, when it should be time to dismiss the Earl of Warwick; he having been bred in that element, and known the duty of it very well, though he had the misfortune before mentioned. CLAREN-
RENDON.

stroyed the independence of parliament, by guarding the House and preventing those members, who were inimical to the designs of the army, from entering. The House of Commons, if it now deserved that name, under the direction of the general and the officers, resolved to bring the king to a public trial. Lambert, and the officers under him, sent a letter from Pontefract, expressing their approbation of what had been done, and acknowledging "that the present proceedings of the army was the work of God alone *."

On the 30th of January, 1648—9, Charles I. was beheaded; and the report of this event had no sooner reached Pontefract, than the garrison loyally proclaimed his son Charles II. and made a vigorous and destructive sally against their enemies. They struck silver coins expressive of similar sentiments†.

Notwithstanding the sallies of the garrison, and the occasional losses the besiegers sustained, the activity, prudence and perseverance of Lambert precluded all hope of deliverance. He now discovered many of the country people who held

* WHITLOCK, p. 370.

† It is a circumstance well worthy of record, and a further proof of the loyalty and zeal of the garrison, that the first monies coined in this kingdom bearing the name of King Charles II. were struck in this castle by Col. Morrice, the governor. The impression is a crown at the top, and underneath it, "*Hanc deus dedit*, 1648," upon the field: and round it, Carol II. D. G. Mag B. F. Hi. R. The reverse, is an impression of a castle, and on the sinister side thereof the letters, *obs*, and above, on each side the central tower, the letters P. C. and round the whole the motto, "*Post Mortem Patri Pro Filio*." This coin is very scarce, and now not to be met with, except in the museums of the curious.

correspondence with, and gave intelligence to the garrison. Among these were two divines, and some women of rank, friends and relatives of the besieged. The Rev. George Beaumont*, being judged one of the most criminal, was seized and executed. He was chaplain to the garrison at this period, and rector of South Kirkby in this neighbourhood. His zeal for the royal cause had led him to engage in the attempt to surprise the castle. He was one of Morrice's first associates; and at his house was held the meet-

* The Rev. George Beaumont was cousin to Sir Thomas Beaumont, of Lascelles Hall and Whitley. Sir Thomas was governor of Sheffield Castle till its surrender to General Crauford on the 4th of August, 1644. He had before been summoned to surrender by the Earl of Manchester, but refused. He accepted the conditions offered by General Crauford, and enjoyed his liberty by taking the engagement oath, to demean himself as became a good subject. It appears from the following affidavit that he was sent for to London.

"Eliz. Beaumont doth depose, that her husband Thomas Beaumont, is at this time soe ill and infirm in body by reason of several bruises and hurts, which hee hath gotten in the castles of Sheffield and Pomfret, that hee is not able to travell to London without danger of his life; and doth further depose, that shee sawe him take the negative oath before the committee at York, and doth depose that there is yearly paid out of his lands, &c, &c.

Jurata, 9th Feb, 1645, coram.

Eliza. B. Beaumont."

Me Edwino Riche.

He however engaged a second time in supporting the royal cause, and his estate was sequestered. His wife compounded for the estate, and the sum paid was seven hundred pounds. Being a suspected character and a notorious delinquent, he was kept a prisoner at York, from the 18th of January, 1655, till the 16th of August following.

His cousin, the Rev. Geo. Beaumont, was equally zealous in the royal cause, and engaged in it so far as unhappily to lose his life.

ing, when the plan was laid how to effect it. He afterwards kept up a correspondence with the garrison in characters, which were discovered by an intercepted letter. He was seized and imprisoned by order of Lambert; and after being loaded with heavy irons, he was tortured to discover his characters, and those who were concerned with him in the conspiracy. Constant and faithful to his principles he refused to make any discovery; in consequence of which he was tried and executed before the walls of the castle; and to render his punishment more severe, it is said, that one of his own relations, was compelled to assist at his execution. He left a wife and four small children, with little to support them, to mourn his loss.

The besieged, having lost many of their brave comrades, and many others being confined by sickness; their provisions almost spent, and having no prospect of relief, at length offered to treat for the surrender of the castle, on honourable terms. They however declared, "that unless the terms were such as they could in honour accept, they had provisions for some time; that they were not afraid to die; and if compelled, they would sell their lives at as dear a rate as they possibly could."

Lambert receiving these hints, answered by throwing letters over the wall, in which a stone was wrapped, "that he knew they were gallant men, and that he was desirous to preserve as many of them as he could, but that his hands were bound, and he was obliged to except six of them, whose lives he could not preserve, nor could he mention their names till after the

treaty was signed by the governor. As to the rest, he said, he was content to release them, that they might return to their own homes secure and unmolested, and that he would do them all the good in his power, by applying to parliament for an easy composition for their delinquency."

On receiving this answer, Col. Morrice called the officers in the castle together, and it was unanimously agreed, not to deliver up any person without his consent." They therefore replied to General Lambert, "that they were sensible of his kindness and civility, and would gladly have embraced his offer, if they could have done it with honour; but declared that they could never be guilty of so base a thing as to deliver up their companions."

Whatever might be the fortitude or attachment of the besieged to each other, necessity soon compelled them to enter into a new treaty with Lambert. The garrison, which at first consisted of more than five hundred men, was now reduced, by losses sustained in different sallies, desertion and sickness, to one hundred *; and some of these were in such a state of weakness as to be unfit for duty. Six officers on each side were chosen to settle the terms of surrender.

Col. Bright †, the principal of Lambert's com-

* Paulden's Letter.

† The family of Bright, which settled at Badsworth, near this place, sprang from Thomas Bright, who married ——— daughter of ——— and had issue, Stephen and John. John was M. A. and vicar of Sheffield, 1636, (married Joanna, daughter of Mr. ——— Smales, of Whaley, in Derbyshire,) he had issue, Stephen who died beyond the sea. John Bright, Esq. one of the

missioners, informed them, "that he had authority to engage, that none of those gentlemen, named to treat for the capitulation, were of the

lords of the manor of Leeds, married Eleanor, daughter of Mr. Wm. Bagnall at Buryhill, in Staffordshire, widow of Mr. John Medcalf, of Leeds, merchant, but died sans issue. Ruth, who married Thomas Dixon, Esq. James, third son. and Elizabeth, who married Mr. Parker, of Derbyshire.

Stephen Bright, of Carbrook, Esq. the son and heir of Thomas, married two wives, first Joanna or Sarah, daughter of Mr. George Westby, and widow of Mr. — Smales, by her he had issue, Sir John, and Thomas and Stephen, who both died young. Mary (who married William Jessop, of Broomhall, Esq.) and Ruth (who married Edward Gill, of Carhouse, Esq.) His second wife, Barbara, was daughter of Mr. Ralph Hatfield, of Laughton-en-le-Mothem, by her he had issue, Hannah, who died unmarried, and Martha (who married William Lister, of Thornton, Esq.)

This Stephen died 6th June, 1642, aged sixty, and was buried at Sheffield. His patent from Sir John Borough, Garter for his arms, is dated 17. Car. I. His second wife survived, and married Thomas Westby, of Giltwait, Esq.

Sir John Bright, of Badsworth, Bart. son and heir of Stephen, married four wives, first Catharine, daughter of Sir Richard Hawksworth, of Hawksworth, Knight, by her he had issue, three children, one son who died young, John, and Catharine (who married Sir Henry Lyddall, of Ravensworth Castle, Bart. and had issue, Thomas Lyddall, John, who took the surname of Bright, Henry, George, Michael, and Elizabeth. His second Lady, was Elizabeth, daughter of Sir Thomas Norcliffe, of Laughton, Knight, by her he had issue, Dorothy, who died young. His third wife, Frances, was daughter of Thomas Lyddall, Bart. father of the above Sir Henry Lyddall, and widow of Thomas Vane, of Raby Castle, Esq. His fourth wife, was Susanna, daughter of Michael Wharton, of Beverley, Esq. S. P. Whose first lady was widow of Sir William Lister, of Thornton.

This Sir John was created a baronet 16th July, 1660, was sheriff of York, 1656, and 1657. He died 13th Sept. 1688, and was buried at Badsworth, where he has a fine monument. He was baptized at Sheffield, 14th Oct. 1619. He in his last will left his name and estate to John, his grandson, second son of Sir Henry Lyddall above mentioned. He was a colonel

number of excepted persons." Some of them then said, perhaps the governor was one? Col. Bright evaded giving a direct answer, and said,

under Oliver Cromwell, and sheriff of York, 1659 and 1731, after Oliver's death he promoted the restoration.

John Bright, Esq. of Badsworth, eldest son of Sir John, married Lady Lucy Montague, daughter of Edward Earl of Manchester, but died without issue.

John Bright, Esq. of Badsworth, grandson and heir of Sir John, married ——— daughter of ——— Clutterback, of London, had issue,

John Bright, Esq. of Badsworth, who married Margaret, daughter of William Norton, of Sawley Park, Esq. had issue ——— his daughter and heir who married, Feb. 1752, Charles Watson Wentworth, of Wentworth Woodhouse, Marquis of Rockingham, a worthy young nobleman, by which marriage the Bright's estate, of Badsworth, went into the Wentworth family, and is now the property of Earl Fitzwilliam.

This John died the 13th Oct. 1735, and his widow married, August 1748, Sir John Ramsden, of Byrome, Bart. She was heir to the Lowther's estate, at Ackworth Park.

The following account of the funeral of Colonel Sir John Bright, from the above Thomas Dixon's common place book, (an Alderman of Leeds,) is curious.

"Sir John Bright, of Badsworth, Bart. having languished a year and a half, of the stone, died on Thursday, the 13th Sep. 1686, soon after, about noon, Mr. Chambers, of Ripon, took two stones out of his bladder, which weighed near four ounces; he was buried on Friday, the 21st, following, aged near seventy. He married four wives, and yet left but one daughter, married to Henry Lyddal, Esq. eldest son of Sir Thomas Lyddal, Bishoprick, Bart., who had six children living at his death, the second of which, John Lyddal, he made his heir, but he is to change his name from John Lyddal to Bright; he was chief mourner at the funeral.—The twelve knights, baronets, and gentlemen that bare up the pall had mourning hatbands, shammy gloves, black scarfs and rings, the rest of the gentlemen had cordivant gloves, black scarfs and rings; and many others had scarfs and gloves, and all the others had gloves. The ladies and gentlemen, had rings and two pair of gloves, and those that had not rings had

"that the major general did not so much look upon the governor as some others who had delivered up the castle to them." On this they parted, without concluding any thing.

Having returned to the castle, the commissioners for the garrison acquainted Morrice with all that had passed. Some told him that Col. Bright had engaged, that he should not be one of the excepted persons. On referring to Captain Thomas Paulden, who was one of the commissioners, he told him, that it was his opinion he would be excepted; and repeating the expressions of Col. Bright, observed, that his opinion was grounded on the circumstance, that the gloves. There was biscuit cakes, cold meat, and wine of all sorts. He lay in state in a dark room, with twelve wax candles burning, the room hanged with black cloth and escutcheons round it, and six mourners stood by the corps, and his arms, in mourning, was set on the outside, on the top of the hall. Sir John Kaye was executor, and he and his family was in mourning as well as his own family. Mr. Hunter preached for him, Matt. x. 28, the pulpit and round the church, and three pews, were hung in mourning; the minister gave him a great character, for indeed he had managed his domestic affairs for fifty years with great prudence, by which he had augmented his estate. He was born to one thousand a year besides money, he had thirteen or fourteen thousand pounds by his wives. He was two years together high sheriff, when no liberties were allowed. He had a colonels pay in the army several years, was governor of Sheffield Castle and justice of the peace. He left a legacy of forty pounds to my wife, thirty pounds to my son Bright Dixon, and ten pounds to my daughter Ruth, which was paid a fortnight after the burial. If my brother Bright had outlived him it had certainly been much better for my wife and children than it was, for Sir John told me that the ancient estate was settled in our family, but my brother Bright dying before him, his daughter Lyddal had that given her by her father's will, which should have come to my brother, and then to my wife and children, but God's will be done."

colonel had not engaged that the governor should not be one, as he had, respecting those gentlemen who were employed to treat. Another of the commissioners replied, that Lieut. Crooke had assured him, that the governor was not one of the excepted persons. On this, Col. Morrice said, "that if he should be one of the excepted persons, he would take his chance;—that he could not endure the thought, that so many brave gentlemen should perish for his sake." He then ordered the commissioners to return, and conclude the treaty.

Capt. Paulden requested that some other person might be sent in his place, as he had solemnly resolved never to consent to deliver up the governor. They therefore departed to meet Lambert's commissioners, and having speedily concluded and signed the articles of capitulation, brought back with them, the names of the six persons, who were excepted from mercy, which were Col. Morrice; Lieut. Austwick and Cornet Blackburn, two of the persons concerned in the death of Rainsborough; Major Ashby, Ensign Smith and Serjeant Floyd, the three persons who had been Morrice's confederates in the castle.

The troops in the garrison were sensibly affected when they heard the names of those excepted. They sent again the commissioners to Lambert, and requested that he would allow them six days, in which time the unfortunate victims might endeavour to escape, and that it might be lawful for the rest of the garrison to assist them.

To this proposal General Lambert consented, "provided the rest would surrender at the

expiration of the time, and engage never again to advise or take up arms against the parliament," to which the commissioners agreed.

On the first day after this agreement, the garrison appeared twice or thrice as if they were resolved to make a sally, but retired every time without charging.

On the second day, they made a strong and vigorous sally in a different direction, and drove the enemy from their post with the loss of several men. Although the attempt was made at the time the guards were relieving, and when the number of men was doubled, yet such was the resolution with which the charge was made, that Col. Morrice and Cornet Blackburn, two of the excepted persons, pushed through the troops of the enemy and made their escape*. The other

* About a fortnight after the surrender of the castle, Colonel Morrice and Cornet Blackburn were taken in Lancashire, as they were inquiring for a ship, with an intention to get abroad. They were put in safe custody, and conveyed to York Castle, where, at the next assizes, it was intended to try them.

They made an attempt once more to obtain their liberty, and effect their escape from the hands of their enemies. Col. Morrice had succeeded, by means of a rope, in sliding down the castle wall, but Blackburn, in trying the same method, had the misfortune to fall and break his leg. The generous colonel would not desert his friend, but remained with him till they were both retaken.

At the ensuing assizes they were tried for having levied war against the king. Had they been tried by martial law, the conduct of the government might have been justified. As they had been excepted from mercy, when the garrison capitulated, if tried on this ground, there would at least have been more appearance of justice in their condemnation and execution.

On their trial, they excepted to the jury, and pleaded

Q Q

*

four were compelled to retreat with their friends to the castle.

The garrison now remained still for two whole days; but early on the night of the 4th day they made another attempt. In this attempt they were wholly unsuccessful. They were driven back to the castle, having Ensign Smith, another of the excepted persons, killed. His friends conveyed his body into the castle, and he was interred in the chapel of St. Clement.

The three excepted persons who now remained, considered it in vain to make any more sallies in order to escape. Several lives had already been lost in the attempts made; and they contrived a different method in order to secure themselves. The buildings of the castle were large and extensive, and owing to the sieges, some of these had become ruins. Among the ruins, they found a place, where the three excepted persons might be concealed, and from whence they might easily make their escape. Accordingly their friends walled up the place after they had entered, leaving them apertures sufficient for the admission of air, and furnishing them with provisions for a month, in which time, it was not doubted, but they would be able to make their escape.

The next morning (24th March, 1648—9)

the statute of Henry VII. which indemnifies every man, who takes up arms in defence of the king. Their exceptions against the jury were not admitted, nor did Judge Puleston admit their construction of the above mentioned act. After a tedious trial, they were both found guilty, and sentence of death was passed on them. On the 23d of August, 1649, they were executed at Tyburn, near York, asserting their loyalty, and dying with hope, constancy and resignation. See State Trials.

the garrison pretended to rejoice, and sent the governor word, that as their six friends had made their escape, they would surrender the next day. At the hour appointed, the garrison marched out of the castle. Lambert narrowly inspected each individual, not believing that any of the six excepted persons had escaped; but being satisfied, that they were not among those who now surrendered, he treated them with great civility, and punctually performed all his promises; nor did he seem displeased "that the brave soldiers had happily escaped." Lambert did not pay any attention to the castle, so that the three excepted persons, the night after threw down their inclosure, and securely decamped*.

Letters were sent by Lambert to the house, informing them of this event; and also from General Lord Fairfax, containing the articles of capitulation. There was found in the castle provisions for two months, and forty barrels of powder. The committee at York, also sent letters to the house, desiring that they would order the castle of Pontefract, and some others in the county, to be demolished.

On the receipt of these letters, the house immediately ordered and resolved, "That £300. per ann. out of the demesnes of Pomfret, be settled on Major General Lambert and his heirs for ever, in respect of his many great and eminent services performed, with much care, courage and fidelity, by the said Major General in the northern parts, as well against the Scots' army the last summer, as against the forces of Sir Marmaduke Langdale and others, and in redu-

* Austwick and Floyd, lived till after the restoration.

cing the castle of Pontefract, *being the last garrison in England*, that held out against the parliament; and in respect of his extraordinary charge therein, he not having been allowed any pay as Major General. Ordered that this vote be sent with a letter of thanks and respect, from the house, and that Mr Chaloner prepare it."

It was also ordered, that the castle should be dismantled and rendered wholly untenable for the future. In compliance with this order, Lambert soon rendered this stately and princely fortress, which had long been considered the honour of Pontefract, a heap of ruins. The buildings were unroofed, and all the valuable materials sold.

A true account of the value of all the materials, belonging the Castle of Pontefract, sold: And of the money received and debts owing, also the charge of demolishing the same, the 5th of April, 1649*.

	£.	s.	d.
I MPRIMIS, an agreement made with John Harrison, for demolishing the Round Tower, for which paid him	80	10	0
An agreement made the same time with Thomas Lake and others, for the pulling down the Barbican Wall, for which paid	20	5	0
Paid Thomas Thurstan for leveling the Earthen Mount, called Nevill's Mount, and the Barbican Wall, from the Great-stable to the Low Drawbridge,	10	0	0

* Gent published the following account, from papers in the possession of the Fairfaxes, of Denton.

	£.	s.	D.
Paid Jasper Ellis, by an order from the committee of the 27th of April, for monies laid out about removing the ammunition from Pontefract Castle to York, and for carrying it up in Clifford Tower,	4	4	0

£114 19 0

Lancelot Lamb and others, for taking down the timber from the Round-Tower, Queens-Tower and Kings-Tower, and other buildings about the same,	35	0	0
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Paid John Harrison and others, for demolishing the two skreens from the Gate-house to the Round Tower, and thence to the Treasurer Tower,	34	0	0
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Paid Thomas Tayler and others, for the timber taking down from the Chapel, Constable Tower, and all the rest of the buildings to the Gate House,	35	2	6
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Paid Tatersall and others, for taking down the timber from off the two Gate Houses,	2	0	0
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Paid Tattersall, John Smith and others, for taking down the timber of the Treasurer's Tower, Gascoygne Tower, the Great Kitchen, and so to the Great Hall,	34	5	0
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Paid them more for the Great Hall timber, and the Gate House taking down,	12	5	0
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£152 12 6

Paid Simon Procter, for demolishing the King and Queen's Tower and all the buildings betwixt the same, the sum of	104	5	6
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	£.	s.	D.
Paid Thomas Lake and others, for demolishing the two Out Gate Houses and the Skreen, by the Constable Tower,	15	6	8
Paid Edward Wilson, for de- molishing the Constable Tower, and all the other buildings from the King's Tower to the Gate House, as also the Treasurer Tower, Gas- coigne Tower, the Great Kitchen, and all the other buildings from the Skreen unto the Great Hall, the sum of	201	0	0
Paid Edward Handson, for pul- ling down the Skreen between the upper Gate House, and the Round Tower; also for the Guard House,	1	10	0
Paid James Jolly, for pulling off the iron from off the three Gates, the two Drawbridges, and the timber of the low Drawbridges taking up	2	16	0
Paid for filling up the Graff at the low Drawbridge, and pulling down part of the Skreen close by the Constable Tower.	1	7	4
	<u>£326</u>	<u>5</u>	<u>6</u>
Paid three labourers for remov- ing timber out of the fall of a Tower,	0	3	0
Paid for taking down the timber from Swillington Tower,	1	13	4
Paid John Oxley and Tho. Lee, for melting of lead into pigs,	4	10	0
Paid for filling up the Graff at the upper Drawbridge, and the Chapel Walls pulling down,	4	10	0
Paid Simon Procter, for felling down Swillington Tower,	8	10	0

	£.	s.	D.
Paid Simon Procter more, in regard we did conceive that he had a losing bargain upon former work done by him,	4	0	0
Monies expended upon several messengers sending abroad into several parts of the country, to seek out experienced workmen, for the speedy demolishing of the castle: and also for monies expended at several contracts making: as also monies given to workmen for their encouragement at the falls of several towers, with other incident charges,	20	0	0
	<u>£42</u>	<u>17</u>	<u>4</u>
Paid for baring of timber from under the fall of Constable Tower,	2	14	0
Paid for two paper books, and to the justice's clerks for drawing the orders betwixt the committee and the trustees,	0	10	0
Given to a maimed workman that was to return to his own home at Malton, towards his charges,	0	5	0
Given to Lancelot Lamb, for his care and good services in the work,	0	10	0
Paid seven soldiers, by order from Captain Ward, for work done by them,	0	7	0
Paid for 5 stone and 5 lb. of iron, for making crows for pulling off lead,	0	14	8
Paid Francis Bradley, for crows making and shovels shoeing,	4	4	0

	£.	s.	D.
Paid several labourers for work done, as appears by a note in Mr. Long's hands,	3	11	5
Paid John Smith, for work done by him,	2	10	0
Paid six carpenters for loading timber that was secured from burning by the soldiers, and surveying the rest of the timber,	1	0	0
	<u>£16</u>	<u>6</u>	<u>1</u>
Paid George Rennard, for taking crooks out of the walls,	0	10	0
Paid Lake and Hanson for demolishing the Great Hall, and the Inner Gate House,	37	6	8
Paid John Oxley and his three men for several days work, for taking the lead of the castle down,	5	0	0
Paid for lime and workmanship, for the two drawbridges walling up of either side,	1	10	0
Paid Richard Lyle, for the loan of his beam and weights for weighing of lead,	0	5	4
Paid for cools to several guards to secure the timber from burning,	0	18	0
Paid several draughts for leading timber out of the castle garth, to secure it from the soldiers,	3	2	8
Paid labourers for several bulwarks pulling down, about and near the castle,	0	12	0
Paid two counsellors their fees for advice how to proceed in suit, and in whose names, for materials sold and not paid for,	1	0	0
	<u>£50</u>	<u>4</u>	<u>8</u>

Paid by Mr. Robert Moore, to several workmen and labourers, as appears by his note of particulars, as followeth:

	£.	s.	D.
For the first week, - - - -	1	3	10
For the second week, - - - -	5	15	6
For the third week, - - - -	6	19	9
For the fourth week, - - - -	14	14	6
For the fifth week, - - - -	9	16	10
For the sixth week, - - - -	5	0	2
For the seventh week, - - - -	4	17	4
For the eighth week, - - - -	17	16	0
For the ninth week, - - - -	4	0	2
For the tenth week, - - - -	3	15	4
	<u>£78</u>	<u>19</u>	<u>5</u>

Lead taken off Pontefract Castle, and sold as followeth:

	£.	s.	D.
Sold to the church-wardens of Barnsley, 20 cwt. at	10	2	6
Sold unto Mr. Richard Wilcock, 20 cwt. at	10	2	6
Sold unto Mr. Samuel Childe, of Leeds, forty fother of Lead, at 11 l. 5s. comes to	450	0	0
Sold him more, 9 fother 12 cwt. 24 lb. at the same price, comes to	107	19	9
He rests indebted for wood, for smelting of lead,	2	10	0
Sold unto Mr. Winter, of Hull, 4 fother of lead, at	45	0	0
Sold unto Mr. John Skurr, one web of lead, 21 stone, 12 lb. at	1	10	0
Sold unto Mr. Edw. Rhodes, 84 fother of lead, 14 cwt. 2 qrs. 5 lb. at	940	0	0
	<u>£1567</u>	<u>4</u>	<u>9</u>

Sold unto Grace Briggs, three webs of lead, &c. 9 cwt. 13 lb. at	5	10	0
Sold unto Sir Tho. Wentworth, one fother of lead,	11	5	0
Sold unto Lieut. Ward, 11 stone 5 lb. at	0	17	6
Sold unto Bryan Fostead, 30 stone of lead,	2	5	0
Sold unto Lord Savile, 20 cwt. of lead, at	10	2	6
Sold unto Mr. John Savile, of Methley, 3 fother 13 lb.	33	16	0
Sold unto a porter, 18 stone 3 lb. at	1	7	10
Sold unto Francis Bradley, 21 stone of lead, at 1s. 6d. &c.	1	11	6
Sold unto Mr. Robert Moor, 11 cwt. 1 qr. 17 lb. at 11s. 5d. &c.	5	15	6
Sold unto Mr. John Clayton, 18 stone 4 lb. at	1	7	0
Sold unto Edw. Field, 43 stone 10 lb. at	2	15	10

£78 3 2

The total of all the lead sold, amounts to the sum of £1640:16:11. } 1540 7 2
whereof received in money,

Monies owing for lead, to balance the accounts above written, as follows:

Sir Edward Rhodes, debtor for lead,	40	0	0
Mr. Samuel Childe, of Leeds, rests indebted for lead,	57	19	9
Further, Mr. Childe rests indebted for wood, for smelting his lead,	2	10	0

£100 9 9

The total of all the iron belonging to the castle, is 79 cwt. 3 qrs. 27 lb. sold at 10s. per cwt. amounts to the sum of 40*l*. whereof received in money,

Monies owing for iron to balance the account as abovesaid. Col. Overton, by an order from the Lord General, for the public service for the drawbridges for Hull, had iron teams delivered him to the value of in money.

May the 7th, 1649. Money received for timber as follows:

Col. Thomas Rookeby,	-	-	7	0	0
Mr. Birkebecke,	-	-	1	3	0
William Nicholson,	-	-	2	1	0
William Jennings,	-	-	1	6	8
Mr. Leonard Ward,	-	-	23	0	0
Robert Howson,	-	-	1	0	0
Thomas Thwaytes,	-	-	1	4	0
Richard Smith,	-	-	0	2	6
William Farrowe,	-	-	5	0	0
Grace Brigge,	-	-	8	0	0
Philip Austwicke,	-	-	1	2	0
William Hill,	-	-	0	18	0
Thomas Tayler,	-	-	4	10	0
Edward Fielde,	-	-	22	8	0
Richard Lyle,	-	-	2	11	0
Robert Sutton,	-	-	3	10	0
William Brame,	-	-	12	0	0
Francis Bradley,	-	-	1	10	0
Zechariah Stable,	-	-	4	6	8
			<u>£102</u>	<u>12</u>	<u>10</u>

	£.	s.	d.
John Potter, - - - -	10	0	0
Thomas Jackson and Robert Farrowe,	6	15	0
William Wright, - - -	4	6	8
Thomas Jackson, - - -	1	0	0
Charles Tootle, - - -	0	10	0
John Killingbecke, - - -	10	0	0
Richard Turner, - - -	0	18	0
Thomas Boswell, - - -	2	0	0
Peter Cuthwait, - - -	0	13	0
John Wattson, - - -	9	10	0
Francis Lee, - - -	2	12	0
Robert Bawlderton, - - -	5	0	0
William Ward, - - -	12	0	0
Mary Rothwell, - - -	0	9	0
Thomas Fielde, - - -	0	13	4
For timber for the church, -	20	0	0
Timber for the windmill, -	2	0	0
Mr. John Skurr, - - -	3	0	0
John Wildman, - - -	2	8	0
For the remainder of the timber } in Brame Garth,	5	0	0
	<u>£98</u>	<u>15</u>	<u>0</u>

Monies received for glass, - - - 1 0 0

Debts owing for timber, as follows:

William Farrowe, - - -	1	3	4
Col. Overton, by an order from } the Lord General, for the public } service of Hull for timber,	8	6	0
George Wrigley by assignment } from John Potter,	3	0	0
Thomas Farrowe, - - -	3	0	0

	£.	s.	d.
Thomas Farrowe and Thomas Jackson jointly together,	3	5	0
Thomas Jackson,	4	1	6
Richard Cattle,	1	17	0
John Hodgshon,	2	8	8
John Box,	2	10	0
Thomas Eaden,	1	10	0
Thomas Boswell,	2	0	0
John Ambler,	3	6	8
Mr. John Lambe,	2	16	0
Bryan Fostead,	1	10	0
Richard Fostead,	1	10	0
	<u>£42</u>	<u>4</u>	<u>2</u>

	£.	s.	d.
Monies received for lead,	1540	7	2
Monies received for timber,	201	7	10
Monies received for iron,	37	2	4
Monies received for glass,	1	0	0
	<u>£1779</u>	<u>17</u>	<u>4</u>

	£.	s.	d.
The charge for demolishing,	777	4	6
Monies allotted unto the town,	1000	0	0
The rest due to the common wealth,	2	12	10
	<u>£1779</u>	<u>17</u>	<u>4</u>

Debts owing for materials, which are due unto the common wealth:

	£.	s.	d.
For lead,	100	9	9
For timber,	42	4	2
For iron,	2	17	8
	<u>£145</u>	<u>11</u>	<u>7</u>

The preceding account of the expences of its demolition, and the monies raised by the sale of the materials, will furnish the best idea of the strength, and grandeur of this fortress.

Thus fell the castle of Pontefract, which had successively been the strong hold of the brave and warlike Saxons; the residence of a proud and imperious Norman conqueror; the turretted seat of the high aspiring Dukes of Lancaster; the palace of princes and of kings; at some periods, a nest of treachery and rebellion, and at others the last hope of vanquished royalty. Here the Lacies, attended by their knights, esquires and vassals, lived in splendor and dignity, scarcely inferior to the king upon the throne; and enjoyed the absolute property of all the land included within the honour of Pontefract; an extent of territory equal to many of our modern counties. Of the Lacies, every person within the honour held his land, subject to such conditions as they were pleased to grant. They enjoyed the same rights, and exercised as absolute an authority within their demesne, as the king did within his; and they claimed the same obedience, subjection and privileges. When this castle and its dependent territory passed into the house of Lancaster, impelled by ambition, or urged by the more generous motive of redressing the grievances of an oppressed country, the dukes often called forth their vassals, put on their armour, unsheathed the sword, and bid defiance to kings. In these unhappy times what lives were destroyed, and doubtless the apartments of this castle,

have often been stained with the blood of many an innocent victim. When the wars of the barons, and the contests of the houses of York and Lancaster were happily terminated, they commenced religious animosities, which led to the destructive civil war, in which the castle of Pontefract holds a distinguished place. Before its massy walls three or four thousand men must have fallen. It is now in ruins, a memento of fallen grandeur; and may it ever remain as a mere ornament of antiquity.

The lover of antiquity may lament when he views such stupendous works nearly levelled to the ground, but the friend of rational freedom will rejoice when he reflects on the design for which such fortresses were erected, and on the many calamities to which they have given occasion. It is proper for a nation to have its frontiers guarded, and to have fortresses to resist the attempts of an hostile and ambitious neighbour. But when such fortresses are erected in the interior of a kingdom, it must be with the design to deprive a people of their liberties, or to keep in subjection and slavery a people already vanquished. Hence, castles in the bosom of a country clearly indicate, either that the people are about to lose, or have already lost their freedom.

These places have sometimes become equally dangerous to the government as to the people. The disaffected have availed themselves of their strength to raise the standard of rebellion, disturb the public tranquillity, and plunge a nation into confusion and war. Sometimes an invading enemy, by the treachery of their governors, has been admitted into them, or by a

sudden attack has surprised and gained possession, and thereby been enabled more effectually to resist the most vigorous efforts of a nation. Secured by the strength of such a bulwark, an enemy, which would soon have been subdued in the field, has repelled repeated attacks, and at last only yielded to famine. We may therefore consider it as one good resulting from the civil war, that the many castles and fortresses in the interior of this country, the remains of the Norman conquest and feudal oppressions, were reduced, dismantled and destroyed.

A nation, in the possession of equal rights and liberties, governed by law, not by force; in which the poor man's ewe lamb is equally protected and secure, with the rich man's wealth; where the same punishments attach to the same crimes, whatever be the rank of those who commit them; and where justice is equally and impartially administered; in such a nation there is no need of castles to keep the people in obedience. Obedience to the law becomes the interest of all orders; and when it is the general interest, it cannot fail to be the general practice. Such is the happy state of Englishmen; and such may it for ever be, is the prayer of one, who considers the era since the revolution and the accession of the house of Brunswick, as the most glorious and distinguished period of freedom and prosperity recorded in the annals of Britain, or in those of any other nation.

The following poems, the one written by Dr. Drake, in his younger years; the other by the celebrated Dr. Langhorn, on the various events which have been detailed in the foregoing pages, are deemed too interesting to be omitted.

ON POMFRET CASTLE.

*O Pomfret! Pomfret! O thou bloody prison!
Fatal and ominous to noble Peers.
Within the guilty closure of thy walls,
Richard the Second here was hack'd to death;
And for more slunder to thy dismal seat
We give to thee our guiltless blood to drink.*

SHAKESPEARE'S Rich. III.

"Look round this vast, and venerable place,
Whose ruin'd pile still shines with awful grace,
Yet nobly great, 'midst all its faded charms :
See the wide waste of all-consuming age,
The wreck of ruthless wars, and hostile rage,
And all the dire effects of more than civil wars."

"View savage time with cank'ring tooth devour
The solid fabric of yon mould'ring tow'r,
Which now in undistinguish'd chaos lies;
Where erst the noble Lacey's Norman line
Plann'd the wide work, and form'd the vast design,
And bid with gothic grace, the stately structure rise."

"When lo! on high the vaulted domes suspend,
On lofty columns the wide arches bend,
And massive walls the vast domain inclose;
In vain the hostile warriors nervous art
With missive fire directs the barbed dart,
Or with enormous strength the pond'rous jav'lin throws."

"For many an age the Lacey's noble race,
With arms, and arts, adorn'd the splendid place,
As heroes triumph'd, or as patriots shone;
Till with the great Plantagenet's fair bride,
In nuptial dower these ancient honors glide,
The seat of future kings that grac'd the British throne."

" On yonder hill, as early annals tell
 The holy hero, and the martyr fell,
 Which still great Lancaster thy mem'ry bears.
 There 'midst the saints enroll'd with rites divine,
 The pious pilgrim sought the sacred shrine,
 And bath'd thy hallow'd tomb, with sympathizing tears."
 " With holy zeal, and blameless morals arm'd,
 With all the pow'r of conscious virtue warm'd,
 'Midst deaths sad scenes, the pious patriot smiles;
 By thee proud Mortimer the hoary sage
 Bleeds the sad victim of thy brutal rage
 Lost by thy lawless love, and all a woman's wiles."
 " Look there, where erst, yon mould'ring turret stood,
 Whose moss grown stones are ting'd with royal blood;
 'Midst civil broils the hapless Richard bled,
 There cruel Exton's vile assassin dart,
 With bloody treason pierc'd the monarch's heart,
 And fix'd the tot'ring crown on haughty Henry's head."
 " Here vaunting Bolingbroke, thy feeble foe,
 Felt in each whispering breeze the fatal blow,
 Or heard death's herald in each guilty stone—
 Short is the date of captive monarch's doom—
 'Twixt the dark prison, and the yawning tomb
 For bold ambition bears no rival to the throne."
 " See yonder tow'r still blush with crimson stains
 That flow'd in plenteous store from noble veins,
 Where Vaughan, and Grey, by Gloster's arts expi'd;
 Where Rivers fell, who with his latest breath
 These mournful mansions dignified in death,
 With love of letters warm'd, and dawning science fired."
 " 'Midst the wide flames, that civil discord spread,
 When by base arts the royal martyr bled,
 Still loyal Pomfret spurn'd the tyrants hate,
 Last in these northern climes that scorn'd to pay,
 A servile homage to his lawless away,
 And in inglorious ease survive the monarch's fate."
 " Long haughty Lambert did thy vet'ran pow'rs
 With iron tempest shake these solid tow'rs,
 And round the walls the missive murder send;
 In vain brave Morrice did thy martial train
 With loyal arms the hostile shocks sustain,
 And 'gainst rebellious sons these loyal domes defend."

"Hark! the loud engines tear the trembling walls
 And from its base the massive fabric falls,
 And all at once these ancient honors fade,
 These lofty towers, and all these royal spoils.
 Sink into silence, 'midst intestine broils
 In prostrate ruins lost, and dark oblivion laid."

FRANCIS DRAKE, S. T. P.

Lecturer of Pomfret, 1750.

WRITTEN AMONG THE RUINS OF
PONTEFRACT CASTLE,

BY DR. LAMONDORN,

1756.

Right sung the bard, that all-involving age,
 With hand impartial deals the ruthless blow;
 That war, wide-wasting, with impetuous rage,
 Lays the tall spire, and sky-crown'd turret low.
 A pile stupendous, once of fair renown,
 This mould'ring mass of shapeless ruin rose,
 Where nodding heights of fractur'd columns frown,
 And birds, as if in ivy-bow'rs repose:
 Oft the pale mason from the threat'ning wall,
 Suspicious, bids her heedless children fly;
 Oft, as he views the incited fall,
 Full swiftly steps the frightened peasant by.
 But more respectful views th' historic sage,
 Musing, these awful relics of decay,
 That once a refuge form'd from hostile rage,
 In Henry's and in Edward's dubious day.
 He pensive oft reviews the mighty dead,
 That erst have trod this desolated ground;
 Reflects how here unhappy Sal'sbury bled,
 When faction aim'd the death-dispensing wound.
 Rest, gentle Rivers! and ill-fated Gray!
 A flow'r or tear oft strews your humble grave,
 Whom Envy slew, to pave Ambition's way,
 And whom a monarch wept in vain to save.
 Ah! what avail'd th' alliance of a throne?
 The pomp of titles what, or pow'r rever'd?
 Happier! to these the humble life unknown,
 With virtue honour'd, and by peace endear'd.

Had thus the sons of bleeding Britain thought,
 When hapless here inglorious Richard lay,
 Yet many a prince, whose blood full dearly bought
 The shameful triumph of the long-sought day;
 Yet many a hero, whose defeated hand
 In death resign'd the well-contested field,
 Had in his offspring sav'd a sinking land,
 The Tyrant's terror, and the Nation's shield.

Ill could the muse indignant grief forbear,
 Should Mem'ry trace her bleeding Country's woes;
 Ill could she count, without a bursting tear,
 Th' inglorious triumphs of the vary'd Rose!

While York, with conquest and revenge elate,
 Insulting, triumphs on St. Alban's plain,
 Who views, nor pities Henry's hapless fate,
 Himself a captive, and his leaders slain?

Ah prince! unequal to the toils of war,
 To stem ambition, Faction's rage to quell;
 Happier! from these had Fortune plac'd thee far,
 In some lone convent, or some peaceful cell.

For what avail'd that thy victorious queen
 Repair'd the ruins of that dreadful day?
 That vanquish'd York, on Wakefield's purple green,
 Prostrate amidst the common slaughter lay?

In vain fair Vict'ry beam'd the gladd'ning eye,
 And, waving oft her golden pinions, smil'd;
 Full soon the flatt'ring goddess meant to fly,
 Full rightly deem'd unsteady Fortune's child.

Let Towton's field—But cease the dismal tale:
 For much its horrors would the Muse appal,
 In softer strains suffice it to bewail
 The Patriot's exile, or the Hero's fall.

Thus silver Wharf*, whose crystal sparkling urn
 Reflects the brilliance of his blooming shore,
 Still, melancholy-mazing, seems to mourn,
 But rolls, confus'd, a crimson wave no more.

* Dr. Langhorn is evidently incorrect; in referring to the Wharf. The battle was fought at too great a distance from that river, for it to be tinged with the blood of the slain. It was a small river called the Cock, which was near the scene of action.

EXPLANATION OF THE PLATE OF THE

Ground Plan of the Siege,

CASTLE, &c.

- 1 Round Tower.
- 2 Red Tower.
- 3 Treasurer's or Pix Tower.
- 4 Swillington Tower.
- 5 Queen's Tower.
- 6 King's Tower.
- 7 Constable's Tower.
- 8 East Gate House.
- 9 South Gate.
- 10 Main Guard.
- 11 Barbican.
- 12 All Saints' Church.
- 13 St. Nicholas' Hospital.

BESIEGER'S WORKS.

- 14 Major General Lambert's Fort Royal.
- 15 Horse Guard.
- 16 Horn Work,
- 17 Pinfold Guard.
- 18 Main Guard.
- 19 School House Guard.
- 20 Fairfax's Royal Horn Work.
- 21 North Horn Work.
- 22 Colonel Bright's Fort.
- 23 Lieutenant General Cromwell's Fort.
- 24 Colonel Dean's Fort.
- 25 Tanalian Guard.
- 26 East Guard.
- 27 Baghill Guard.

PART II.

CONTAINING AN ACCOUNT

OF THE

PRIORY,

RELIGIOUS-HOUSES,

CHURCHES, HOSPITALS, CHARITIES, &c.



THE PRIORY OF ST. JOHN.

IN taking a survey of the most remarkable places which are, or have been, within this borough, the priory of St. John, deserves our first attention. Although nothing remains to give a complete idea of the extent or beauty of this structure, we may justly conclude from the liberality of its founder, the donations conferred upon it, and its general reputation, that it was a place of considerable extent and importance. The plot of ground, now called Monkhill, and which continues extra-parochial, clearly ascertains the grange and the homestead of the priory. If it did not equal the abbies, in the Gothic magnificence of its church, and in the number and grandeur of its separate apartments and offices, there can be little doubt but it was built on a similar plan. The fol-

lowing description of such houses may lead the reader to form a tolerably correct idea of what this priory once was.

The first appendage of these houses was the clausum or close, varying in dimensions, according to the dignity of the house, surrounded by a high wall, entered by one or two magnificent gateways; and that such a wall once surrounded the ground above mentioned, called Monkhill, there can be no doubt. Beyond the inclosure the monks were not permitted to walk or ride, but on the necessary business of the house.

Within the close were included all the appendages of a large domain, occupied by the owners, as a grange, or farm house, barns, stables, mill, &c. The reason of this is obvious, and was for the protection of their property.

Next was the house itself, situated generally in the lowest and warmest part of the inclosure, consisting usually of a large quadrangular court, into which the various offices and apartments opened; and to all these a warm and sheltered access in every season was provided, by means of a penthouse cloister surrounding the whole.

The north side of this quadrangle was formed by the nave of the church; and was intended by its height and bulk to afford shelter from the north, as well as to admit sunshine into the cells of the monks.

Attached to the end of the south transept, and with it forming in part the east side of the quadrangle, was the vestry, and in the large monasteries, the chapter house. The chapter house was often highly ornamented, and consi-

dered as a part of the church. Here all elections were made,—hence commenced all processions after elections, and here all arts of discipline were performed.

Opposite to the church, and forming the south side of the quadrangle, were universally placed; the refectory, or dining room, locutorium, or parlour, kitchen, butteries, sculleries, &c.

The western side consisted generally of the dormitory, or bed rooms, on the higher story, often supported by a line of columns beneath, which branching out into groined arches formed a magnificent and gloomy walk.

This part was immediately connected with the south-west corner of the church, in order that the monks might pass to their late or early devotions with the least possible exposure to the external air*.

Whether this description will altogether apply to this priory it is impossible to determine. On examining the site, in the field called the Grange, the rising ground points out the south side of the quadrangle, and the level area from thence north clearly indicates that the church and different apartments were extensive.

The priory was founded by Robert de Lacy, usually called Robert de Pontefract, in the year 1090, during the reign of William II. for the health of the soul of King William the Conqueror, and also for the souls of Ilbert his father, Hawise his mother, and of all his ancestors and posterity.

The abbey of Clugny, in France, enjoyed at

* WHITAKER'S Whalley, and BURTON'S Abby of Fountains.

that period an unrivalled fame, for the regularity of the house, and the sanctity of its discipline. The monks were of the order of St. Benedict; but as this order, by the influx of wealth, had considerably relaxed its severity, and conformed too much to the spirit of the world, the rule had been amended and the order reformed by St. Berno, and other abbots of Clugny.

The rule of this order was principally founded on silence, solitude, prayer, humility and obedience. The monks were enjoined a total abstinence from all kinds of flesh-meat. A pound and a half of bread was allowed to each, per day; and wine was wholly prohibited. Seven hours a day were allotted the monks for manual labour, and two for pious reading, besides meditation from matins till break of day. As the wealth of particular houses increased, manual labour was exchanged for sacred studies*.

The habit of these monks was a black loose coat, or a gown of stuff reaching down to their heels, with a cowl or hood of the same, and a scapulary. Under the long black gown they wore another equally as large, made of flannel, with boots on their legs. From the colour of their outward garment they were generally called black monks†.

The prior and monks were brought here from the abbey La Charité sur Loire; and the priory generally contained more French than English. This convent could not choose the prior, receive the profession of their novices, nor settle any differences which arose among

* TANNER'S Not. † BUTLER'S Life of St. Benedict.

themselves; but were obliged to go beyond sea, to the abby from which they came, on all such affairs; and a considerable part of their revenue was claimed and sent to their superiors*. In the reign of Edward III. this priory, and all others of the same order, were discharged from all manner of subjection and obedience to any foreign abby†.

In erecting the priory, the monks had to contend with various difficulties. Their friend and patron, Robert de Lacy, incurred the displeasure of Henry I. and was deprived of all his possessions, and banished the realm. Although Hugh Delaval, his successor, renewed the charter granted by Robert, and gave several churches to the convent, it may be questioned whether he assisted them in that effectual manner, which might have been expected from their patron and founder. Little was done after the restoration of Robert de Lacy to the patrimony of his father, till the time of Henry, his second son. From the period when the first charter was granted, 1090, to the time when the church belonging the priory was finished, and solemnly dedicated by Archbishop Rogers, 1159, had elapsed sixty nine years. Considering the property conferred on this house, and the facilities the monks generally enjoyed to accomplish their designs; and from their industry and perseverance, we may form some conjecture of the ancient grandeur of this priory.

* The house of Clugny had a pension out of every house of that order in England, called *apportus*; and Cotton Smith says, that the abbot of Clugny received not less than two thousand pounds annually.

† REYNER'S App. p. 192.

It is impossible to give any account of the number of which this convent consisted; of the domestic servants, the internal economy of the house, &c. as no compotus has been preserved. From comparing its revenues with those of other houses, a full detail of whose expences has been given, it may be conjectured, that it contained an establishment of more than two hundred persons*.

One part of the annual expences of these houses consisted in presents made to the great, whose favour they wished to conciliate. Whatever was delicious to the taste or fashionable in dress, they purchased for this purpose. Another part consisted in their hospitality and charity. As such houses were furnished with provisions of all kinds from the produce of their lands, herds and flocks, it was as usual then for gentlemen and travellers to go to such houses as it is now for them to go to an inn. Here also the poor, the sick, the aged and infirm resorted, and their wants were regularly supplied.

Adam Fitz Swain, who was a considerable benefactor to the priory, founded Lund, or Monk-Bretton, dedicated to Mary Magdalene, as a dependent cell to it; and endowed it with all his lands there, the mills of Derne and Lund, and whatever he possessed between Derne and Meresbruck, (now Masbrough); in Brampton, the churches of Newball (now Newhill), Raynberg and Lyntwayte. Also he gave the chapel of St. Andrew, near Culcoit, (in

* WHITAKER, on Bolton Priory.

Cumberland); and appointed Adam, Prior of Pontefract, to be Custos thereof, after whose decease, the prior and monks of Pontefract were to appoint other fit persons to the government, who should pay yearly one mark of silver to the said priory, for an acknowledgment of its subjection.

By the liberality of several individuals the revenues of this cell were increased; and the brethren soon began to find the yoke of subjection galling, and to aspire after complete independence. On the demise of their superior, a dispute arose between them and the convent of Pontefract. Whether the convent of Pontefract appointed a person to be their governor, whom they disapproved of; or whether they chose another in opposition, does not appear. The brethren of Bretton sent some of their number to the abbies of Clugny and La Charité, to state their grievances; and applied to the Pope also for redress. Their interest in these abbies was not equal to that of the convent of Pontefract, as the persons sent were detained there as prisoners. It should seem they had better success at Rome, as a bull was obtained rather in favour of their cause.

After having incurred immense expence, the business was finally put to reference by the mutual consent of both parties; and a judgment may be formed of the importance attached to this cause from the rank and dignity of the persons chosen to settle it. Their decision was, that the monks of Bretton should pay annually nine marks to the priory of Pontefract; and twenty shillings as an acknowledgment of their

subjection; and that the convent of Bretton should hereafter enjoy the right of choosing their own superior, who was to be installed by the prior of Pontefract, within three days after his election. It was also agreed that those brethren detained in the abbies of La Charité and Clugny should be liberated, and that the brethren should hereafter enjoy the whole internal management of their own house*.

According to the above decision the convent of Bretton assigned over to the priory of Pontefract, for the payment of the nine marks, a mediety of the tithe of corn, and the whole tithe of hay in the village of Nottona. Also five acres of meadow in Smyethall, and a rent-charge of five shillings in Pontefract.

After this time no event of general importance occurred respecting the priory. It continued to flourish till that period, when the revival of literature and the spirit of free inquiry effected, in a considerable part of Europe, one of the most surprising, and happy revolutions in the public mind. The priory was surrendered by James Twaytes, the prior, and the convent, into the hands of the king, on the 24th of November, in the thirty-first of Henry VIII.

It appears by returns into the Court of Augmentation, that the king gave the prior the deanry of St. Clements, in the castle, with all its possessions, rights, tithes and emoluments, during the term of his natural life; and the

* S. C. Monast. N. B. For a more particular account of Lund, or Monk Bretton, see Burton's Monasticon.

site of the priory, with all the houses, buildings, gardens, orchards, and the demesne lands to the same belonging, was let on a lease to Peter Mewtas, Esq. at the annual rent of twenty-three pounds seventeen shillings and eightpence*.

The same gentleman held on lease the lands and tenements, in the town of Pontefract, which belonged to the said priory, at the annual rent of six pounds fifteen shillings and five pence; and eighteen acres of arable land in Ferryfield, (Ferrybridge Field) at eighteen shillings† per annum. Also Darrington mill, belonging to the deanry, at twenty shillings per annum. Amount of the whole eight pounds thirteen shillings and fivepence.

Also for one messuage at Swineflete forty shillings per annum; and for the whole of the rectory of Pontefract, the sum of thirty two pounds fourteen shillings. Also for four acres and two roods of land, in Carlton, twelpence.

Also for the rents and farms of divers lands in Knottingley, the sum of one pound eighteen shillings and sevenpence.

The site of the priory, its demesne, tithes

• Returns in the Court of Augmentation.

† It is amusing to compare the nominal value of property at the beginning of the sixteenth and at the conclusion of the eighteenth century. Land which was then rented at one shilling per acre, is now worth from fifty shillings to three pounds. It cannot however from this be concluded that the value of property has risen in this proportion. The value of land depends equally on its state of cultivation, as well as on the worth of its produce; and should it therefore be in poor condition, it must be of less value. Allowing for this it is probable that the nominal value of land has increased in a proportion of twenty to one.

and emoluments, continued to be farmed out on leases to different individuals, till the seventh of Edward the sixth; when a grant was made of all the property, belonging to the priory within the township of Pontefract, to George Lord Talbot*.

Thus that property, which had been accumulating for five centuries, and hitherto had been deemed so sacred, that almost to touch it was considered a crime of such magnitude, as to expose the delinquent to all the thunders of the church and all the miseries of hell, was finally alienated.

The following is an imperfect list of the lands, tithes, &c. which belonged to this house; and such lands as are marked with an asterism, under the word Pontefract, are what were conveyed to Lord Talbot, and which have descended from him to the present possessor, Lord Harewood†.

* Grant in the Court of Exchequer.

† In the grant to Lord Talbot, the New-Hall is not mentioned; and from this circumstance it should appear it was not then erected. The style of this building is decidedly that which prevailed in the reign of Henry VIII. and near to that period. The date on the arms is 1591, but it must have been erected prior to that time. There can be little doubt but it was erected by a branch of the Talbot family, and designed as a suitable mansion for their residence. The principal rooms are on a large scale; and there are suitable offices and conveniences for a considerable establishment. Whatever was the reason, this building was never completely finished within; nor does it appear that any of the Talbot family resided in it. It was occupied as a farm house, by different tenants, till within a late period.

It is said that the last branch of the Talbot family was a lady, who bequeathed the rectory and lands in Pontefract to the late Archbishop Dawes, whose only daughter marrying Edwin, late Lord Harewood, the whole came into that family.

ALTOFTS, one carucate of land here was given to the priory, by W. Folioth, and confirmed by the charter of Robert de Lacy *.

BARNSLEY. This town was given by Radolph de Cæprecuriæ, the proprietor, with the woods, meadows, mill, and rights belonging to the same, on condition that the convent should appoint one monk to pray expressly for his mother; another for his sister, and a third for himself after his death. He also reserved to himself the privilege of being admitted a member of the convent, in case he should request it; and according to the spirit of the age he prays, that if any one should attempt to deprive the monks of this property, "God would blot him out of the book of life." His son confirmed the above grant, for which the convent gave him ten marks of silver, and promised to give annually *pelliceam et botas monchi*, i. e. the black robe and the boots of the order †.

The priory of Monk Bretton had some property here. In the year 1469, Richard de Leeds the prior, and the convent granted leave to those of Pontefract, to make a new-milldam for a corn-mill, in the close called Le Manroid and Pageroid, lying on the south east part of, and adjoining to the bridge, for which the monks of Pontefract were to pay annually a rose, if demanded ‡.

BARNSETE, now called Barnsed, in a high and naked situation, contiguous to the moors of Yorkshire, belonged to this priory; a circumstance which has given to a neighbouring house the name of Monkrode, upon the same estate. It was held under the priory for two or three generations by the Townleys §.

BEXALE, or Beale, Henry de Lacy granted the fishery here ||.

BRACKENHILL. Roger de Lacy gave all his lands here; and Hugh Delaval confirmed the same, specifying the quantity as being fourteen acres.

BRETTON. See Lund.

BROCTUNE, in the county of Cumberland. Alice de Romeley, daughter of Robert de Romeley, Lord of Skipton in Craven, gave a carucate of land here; and a house in the same town, where the monks might reside occasionally, when they went to receive their rents or the produce of the land. She also granted them, or those who held the land under them, all common rights and privileges which the town enjoyed ¶.

* Cu. Mon. † Ibid. ‡ BURTON'S Mon. 95. § WHIT. Whalley.

|| Cu. Mon.

¶ Ibid.

BURNLEY. Hugh Delaval gave the church here.

CATWYK, or Catwick. By the advice and with the consent of Roger, Archbishop of York, who was a great friend to the monks, Peter de Falkenberg gave the mediety of the church here, on the condition of his obit, and that of his wife, being annually celebrated; and that himself and his heirs should be admitted to the privileges of the house*.

CASTLEFORD. Two mills were given here by Hugh Delaval; which Henry de Lacy confirmed, and gave in addition the benefit of the ferry. W. Folioth gave here one carucate of land, lying before the castle.

COLTHORN, or Cawthorn. See Silkstone.

CLITHEROE. The church within the castle was given to the priory, as well as the church of St. Mary Magdalene, in the town, by the charter of H. Delaval; with the tithes of all his lands there†.

COLNE. The church here with whatever belonged to it, the above Delaval gave to this house.

CRAVEN. In the first of Henry II. Alice de Romeley, daughter of Robert de Romeley, Lord of Skipton in Craven, gave to these monks free chase in all her lands and woods within her fee, with liberty to hunt and take all manner of wild beasts there. Furthermore, she bestowed on them the tenth of all the deer taken within her own lands and chase in Craven. Also a certain piece of ground in each of her lordships, to make a grange for their tithes, with common of pasture for their cattle, together with her own, in all her woods, moors and fields, during the whole time of autumn‡.

DARDINGTON, or Darrington. Robert de Lacy gave the church with all its privileges; H. Delaval, during his temporary possession of the estates of the Lacies, confirmed the above grant, exempting from the authority of the monks, one carucate of land, and an hospital for the sick and aged. H. de Lacy, by his charter, confirmed the above, with the chapel of Stapleton§.

DODWORTH. The founder of the priory, Robert de Lacy, gave the manor and all his land here, reserving to himself only the *spernarii* of a certain water. The boundaries are accurately

* CH. Mon.

† Ibid.

‡ DUCD. Baron.

§ Stapleton must have been, at this early period, a considerable village. It is uncertain at what time the chapel was destroyed. The village itself has given place to an elegant seat, late the property and residence of Lord Stourton, who has sold it to E. L. Hodgson, Esq.

defined. On one hand a certain valley separates it from Thurgoland and Stainburgh; and on another a stream called Mervinbrook, which falls into the same valley. On the third side it is bounded by a place called Wolf-Hole, and by another stream, which runs through Heliley, and falls into the water which comes from Silkstone; and lastly along the valley beyond a place called Huggesides, and following the watercourse towards Barnsley, then turning along the hill called Ravenslough, which divides Dodworth from Beck. The above grant was made to supply food for their horses, and those of their friends*.

Two brothers of this place, Richard and William, sons of Ulf de Doddewrda, gave to the convent, for the love of God and the salvation of their own souls; all the men they had on the land, with their houses and chattels for ever. How degraded was the state of these men, who could be transferred like cattle from one proprietor to another! The love of God ought to have prompted these devotees rather to have given liberty to their villani, than to have transferred them to a convent. Such was then the state of society, and such then the spirit of the age.

FAIRBURN. One Ada gave half an oxgang of land here, to supply the monks with bread and wine when they celebrated mass, for the redemption of his own soul, and those of his wife, parents and friends.

FEREBY-SOUTH, in the county of Lincoln. Gilbert, the Earl of Lincoln, gave the ferry here, and three and a half oxgangs of land, together with fourteen houses, reserving to himself the annual payment of six pounds. In a contest between him and Henry Lacy, he had injured the monks, and trampled on the sacred rights of the church. Conscious that he had been guilty of a great crime, he made a vow to bestow the above mentioned property, either to purchase for them a lamp, or to supply them with oil to keep one continually burning.

FERRYBRIDGE. Jordan de Sancta Maria gave a meadow here. The boundaries are defined, but owing to the division of fields, it is perhaps now nearly impossible to ascertain it. One head was above Longlathes; and stretched to the Aire. Another towards Haliwell, was beyond the stream which comes from Pontefract, between the meadow belonging to the abbey of Fountains on the north, and Ferrybridge Field

* *Cm. A. M.*

on the south. Another part joined the meadow belonging the hospital of Fulsnaph, and the last a field belonging to Robert de Hickleton.

FRYSTONE. The same Jordan gave the Foredales, or headlands of a meadow here, which joined the stream that divides this township from Ferrybridge*.

FOXHOLES. H. Delaval gave six oxgangs of land here. As this is noticed after Dodworth, it is probable it lay there. See Dodworth †.

FEATHERSTONE. See Whitwood.

INGOLVESMELES. Alice de Gaunt gave one carucate of land here, which had been given to her as her dowry by Ilbert de Lacy. It was confirmed by Roger de Malbrai, her second husband‡.

KESWICK, in the county of Cumberland. Simon de Mohaut gave two oxgangs of land here, consisting of twenty acres, together with a toft of one acre in the same town, with all rights and privileges thereto belonging, on condition of enjoying the prayers of the house, and liberty to become a brother when he should demand it§.

KELLINGLEY. Henry de Lacy gave this whole village, with all the land from Knottingley on one hand, and Beale on the other, to the priory. The boundary on the side of Knottingley is said to be a ditch called Post Leiesic||.

KIPPIS. H. Delaval granted the church here, the tithes and whatever belonged the same. Henry de Lacy confirmed this grant¶.

KIRKBY. See Pontefract.

KIMBERWORTH, near Rotherham. One John Bouilli gave half an acre and a toft here**.

LEDESHAM. One half of this village was given by Robert de Lacy, together with the church, which was confirmed by the charter of H. de Lacy ††.

LEDSTON. Robert de Lacy gave the whole of his land here, which grant was confirmed by H. de Lacy ‡‡.

LUND, or Monk-Bretton. Lands had been left here to the priory. On some account a contest arose respecting these lands between the priories of Pontefract and Bretton; and the affair was put to reference. William Bradford and Robert Chaloner, referees, decided that the convent of Monk-Bretton

* *Cn. Mon.*

† *Ibid.*

‡ *Ibid.*

§ *Ibid.*

|| *Ibid.*

¶ *Ibid.*

** *Ibid.*

†† *TANNER'S N.*

‡‡ *Cn. Mon.*

should have the lands in question; they paying to Rich. Brown the prior, and the convent of Pontefract, fifty-five marks*.

MEER, or Maram. See Whitwood.

MINSTHORP. See Silkstone.

NORTON. Jordan Folioth gave the west mill here, with the land on which it stood, and a toft of one acre, between the mill and a garden near to the road, on the north, with the soke and suit of the said mill, paying to the chaplain of Norton one mark of silver annually, on the feast of St. Dionisius†.

PONTEFRACT. Robert de Lacy gave the ground on which the priory was erected, and the closes around, which in the charter of Delaval are estimated at seven acres‡.

ALL-SAINTS' CHURCH was granted by the said Robert.

St. MARY's CRURCH, now called St. Giles', in the market-place, was also granted by H. Delaval. One half of this church had been given by Ilbert de Lacy to the canons of St. Oswald, but Archbishop Thurston granted Delaval permission to bestow it wholly on this convent.

* *Arable lands* in the Common-Fields, amounting to twenty-one acres, were enjoyed by the monks.

* *Baghill*. One carucate of land§ lying here was given to the convent by W. Folioth, and afterwards confirmed by his son Jordan.

* *Bayliff-Yard*, a small close mentioned among the lands granted to Lord Talbot.

* *Carter Closes*, mentioned in the same grant, and estimated at twenty-four acres.

* *East-Field*, and a part of Darrington field, also mentioned, estimated at sixty-two acres and a half.

* *Gallows-Hill Close*, of which no estimation is given.

* *Hudercroft*, containing by estimation six acres.

* *Kellingley*, containing by estimation twelve acres.

* *New-Close*, containing six acres.

* *North-Field*, containing sixty-one acres and a half.

* *Spittle-Close*, no estimation given.

* *Vestry-Close*, containing ten acres.

* *Wattflat* and *Wattfull Closes*, containing six acres and a half.

* BURTON's Mon. p. 93.

† M. A.

‡ Cart.

§ This carucate is most probably the closes called in Talbot's grant, Baghill-field, or Burton Flat and Bene Flat, and Baghill and Flaghill, which are there estimated at fifty-four acres.

* *Well-Close*, near Milldam, containing one acre and a half. ST. NICHOLAS' HOSPITAL. The custody of this, for the uses intended, was given to the priory by its founder, Rob. de Lacy, and confirmed by Delaval and Henry de Lacy.

ST. CLEMENT'S CHURCH, in the castle. Robert de Lacy gave this also to the convent, expressing in the strongest terms that it should not be hereafter given to any other house.

WEST-MILL, he also granted for the use of the priory.

EAST-MILL was granted by Henry de Lacy*, and sixty shillings annually to be paid by his bailiff, thirty at Easter, and thirty at Michaelmas †.

The convent had a *turvery* in the park. Their right to a road here seems to have been disputed, and to settle which they entered into an agreement with one John Scot, to have a free passage to the said turvery, through the land of the said John Scot, in Haliwell ‡.

Houses and lands in this town, were given through the piety and zeal of several of its inhabitants to the priory. They enjoyed * *twenty acres of pasture in the park*, which were taken from them about the 10th of Edward IV. but by due course of law, had them restored §.

In the fines of Yorkshire, they paid for two houses and thirty-eight acres of land in Pontefract ||.

PECKFIELD. The convent enjoyed some land here, as an agreement was entered into between the convent and Hubertus and Gaufridus, sons of W. de Boelter, concerning the middle part of Peckfield ¶.

QUELDALE, or Weldale. See Witwood.

ROTHERHAM. The convent enjoyed some land here, in the reign of Richard II **.

* They are called the East and West Mills in reference to the situation of each other, and not with respect to the town. The East Mill is that usually called Bondgate Mill; and the West is that under the castle. Robert gave this latter in his first charter, and it was contained within the clausum, and formed the boundry of the south and west angle.

† Trifling as this sum may now appear, it will be considerable if the comparative value of money be recollected. According to some authors, a shilling then, was worth a pound now.

‡ Vid. App. ad Steventil, vol. 2. p. 219. This appears to warrant the observation, that no coal mines had been opened in this part of the country as late as the fourteenth century, but that turf and wood were the fuel commonly used.

§ Vid. Bib. Harleiana. mo. 435. p. 121. In Talbot's grant, the Park Close is estimated at twenty-two acres.

|| TANNER's N.

¶ See TANNER's N:

** Pat. 13. Trin. Rot. 29d Richard II.

RUGHALA, or Raul. Henry de Lacy granted two oxgangs of land here.

RANGBROOKE. See Silkstone.

STAPLETON. See Darrington.

SLADEBURN, in Craven. Delaval gave this church, with the lands and chapels thereto belonging. Henry de Lacy confirmed the grant. After this grant, the prior and convent presented the first six rectors; and enjoyed undisturbed whatever belonged to it. John of Gant deprived the house of this part of their property, nor could they ever recover it. The convent however made the attempt, and assigned the advowson of the church to Booth and Byron, who gave it to the church of St. Catherine of Eccles. Though this gift was confirmed by a Papal bull, the crown disregarded it and kept possession*.

SILKSTONE. Swain, the son of Alricus, gave the church here, with six oxgangs of land lying near to it, and the chapels, lands and tythes, and whatever belonged thereto. His son, Ada, confirmed the above, as well as the grant of the chapel of Cawthorn, with two oxgangs of land in the same village; and two parts of the tithes of all his demesnes, in Cawthorn, Kexburgh, Gunultwayt, Penyingstone, Wyrkesburgh, Carleton, Newhall, Brerely, Walton, Manesthorp, Wrangbruk, Midleton, *Garbarum et cum omnibus ad eas pertinentibus*.

SMITHELES, or Smithale. John Fitz Adam gave thirteen acres of meadow here, and two oaks in his wood of Byrkin; and one buck annually, out of his park, at the feast of St. John, *ente partam Latinam*.

STAINBURGA, or Stainburgh. Adam Fitz Petre, gave one moiety of the mill here; and his brother John gave the other.

SWINEFLETE. Here was a house belonging the priory, which at the dissolution was let for forty shillings per annum†.

THORP. Henry de Lacy gave two oxgangs of land here.

WITEWDE, or Witwood. Robert de Lacy gave all his lands here, and at (Maram) or Meer to the priory, with all common rights and privileges. Also, the fishery from Whitwood, to (Queldala) or Weldale. The canons of St. Oswald;

* WHIT. Craven.

† Return of Rents in the Court of Augmentations.

or Nostel, possessed in Witwood and Meer, thirty acres of arable land; and the tithe of hay in other fifteen acres, which they exchanged with the prior and convent of Pontefract, saving the rights of the churches of Featherstone and Castleford, for two parts of their corn tithes in Brerely, Maynesthorp and Wrangbruck, which they enjoyed from the grant of Adam Fitz Swain, and which belonged to the church of Silkstone, though within the parishes of Felkyrk and Southkyrkby.

WHALLEY, in the Hundred of Blackburn, Lancashire. The church was given by H. Delaval, but was not confirmed by Robert de Lacy, or any of his successors. Being a place at that time of little importance, the prior and convent here continued to enjoy the patronage, and successively presented four vicars. When the Lacy fee came to the Constables of Chester, they claimed the advowson of this church, and afterwards conferred it on the abbey of Whalley. The prior and convent of Pontefract defended their right, but were altogether unsuccessful. According to the law which then obtained, any grants made by the possessor of a fee, when the lord of such fee was under an attainder, in case the attainder was reversed, were deemed invalid, unless the lord confirmed the grant. On this principle, the claim of the convent was rejected.

LIST OF PRIORS.

Temp. Confirm.	Priors loci.	Vacat.
	Adam,	
	Oliver Daincourt,	
126—	Godefridus,	
2-Id. May, 1311	Furnhardus de Cherley,	
145—	Nic. Halle,	
	Johannes Flynt*,	
	R. Brown,	
	James Twaytes.	

ALTAR CONSECRATED,

27th Martii, A. D. 1352.

A commission was granted to John Bishop of Philippi, to consecrate a certain Altar within this conventual church of the priory of Pontefract, lately erected on the south side thereof.

* MS. Inquis. in possession of J. Smyth, Esq. M. P. An. Undecimo Hen. Septimi.

TESTAMENTARY BURIALS,

August 13, 1391. William de Bayley made his will, (proved Dec. 20, 1391,) giving his soul to God Almighty, St. Mary and All-Saints, and his body to be buried before the altar of St. Benedict, in the monastery of St. John, apostle and evangelist, of Pontefract.

Jan. 6, 1435. John Awtee, rector of the parish church of Castleford, made his will (proved Jan. 20, 1445,) giving his soul (ut supra) and his body to be buried in the monastery of St. John, the apostle and evangelist, of Pontefract.

Archbishop Thurston, who had intended to have commended a monk of this monastery, was buried in the church of St. John the Evangelist, in February 1143. Goodwin informs us, he made a search for his grave near a place in the wall, on the south side of the choir of this church, then in ruins, but instead of the prelate, found a vast number of human skulls and bones, all regularly piled up, and laid in admirable order. A pious action of the monks, which has been met with in the ruins of several monasteries in this kingdom, well worthy of imitation at the present day.

BLACK, DOMINICAN,

OR

PREACHING FRIARS.

THIS order came into England in the reign of Henry III. in the year 1221. They settled a house here, which is said to have been founded by one Symon Pyper. The seat of this house was nearly in the centre of the garden, now called Friar-Wood. A draw-well, and various foundations which have been removed in the low garden, now in the occupation of Mr. Halley, ascertain the place where it once stood.

A more delightful spot could not have been well selected. Embosomed in a wood, screened from the cold northern and westerly winds, by high grounds, the brothers enjoyed all the advantages of privacy and retirement, in a warm and well sheltered abode.

This order was founded by St. Dominic, a Spaniard, who was raised to the dignity of Bishop of Osma. Of course he performed numerous miracles to entitle him to the honour of a Saint; and it would not be esteemed one of the least, that he instituted an order, whose chief object was, to convert heretics by the power of their eloquence, and to support the Roman hierarchy*.

* This saint was chiefly employed in converting the Albigenses and Waldenses, who inhabited Piedmont. The here-

This order was called Dominicans from their founder; preaching friars, from their office; and black friars from their dress. They wore a white cassock with a white hood over it, when within; but when they went abroad, they wore a black hood and a black cloak over their white vestments.

The rule of this order obliged the friars to study the sacred scriptures, and devote themselves to prayer continually. It allowed them to enjoy property, but recommended poverty as most favourable to devotion. They were enjoined perpetual abstinence from fleshmeat, and obliged to live on the coarsest fare.

This austerity procured them the reputation of sanctity, and gave them a degree of power and influence equal, if not superior, to any of the other religious orders. As their wealth increased they relaxed in discipline; and at length became odious in many catholic states.

Thomas de Castleford was a brother in this house. He wrote the history of it, and of the other religious houses in the town, respecting which Leland remarks, he had found in it much more than he expected.

Edmund de Lacy, constable of Chester, gave to these friars some lands, called East-Crofts, which adjoined to their house*.

sies of these consisted in their denial of purgatory, and their rejection of prayers for the dead, invocation of saints, veneration of images and relics, absolution, exorcisms, sureties in baptism, and the canon of the mass. The success of St. Dominic, numerous as his miracles were, did not avail to exterminate these heresies; and a more effectual method was soon found necessary, that of exterminating by fire and sword those who held them.

* Memorandum preserved among the charters.

In this house was interred Roger de Mowbray, who died in the fifty-first of Henry III.

On the suppression of the lesser religious houses, in the twenty-eighth of Henry VIII. this house was surrendered by the prior, seven friars and one novice.

The house and land belonging to it were granted to a W. Clifford and Michael Wildbore.

TESTAMENTARY BURIAL.

10. March, 1448, Thomas Box, gentleman, made his will, proved 6 May 1449, giving his soul to God Almighty, St. Mary and All Saints, and his body to be buried within the house of the friars, preachers, of Pontefract.

The Carmelites, or White Friars.

This order was brought into England in the same reign as the preceding, and Edmund de Lacy, constable of Chester, built a house for them here*. At present no vestige of this house remains, nor any tradition of the place where it stood.

This order took its rise in Mount Carmel, in the Holy Land; and is said to have been founded by Almericus, bishop of Antioch, in the year 1122. As this mount had been honoured by the residence of the prophets Elijah and Elisha, this order pretended to derive its origin from them, by an uninterrupted succession of brethren.

From their dress they were called White

* CH. Mon.

Friars; and from their poverty they were numbered among the order of mendicants, or beggars. Their rules were given them by St. Albert, patriarch of Jerusalem, about the year 1205.*

They practiced the greatest austerities as essentially necessary to subdue the flesh and secure final happiness. They rose at four o'clock in summer, and five in the winter. They slept every night in their coffins upon straw, and every morning dug a shovelful of earth for their graves. They walked, or rather crept, to their devotion on their knees. They imposed strict silence on themselves from vespers till the tierce next day. They ate twice a day, but never tasted fleshmeat. They were enjoined confinement to their cells, and to continue in prayer. They fasted from the feast of the holy cross till Easter.

The rigour of this discipline was relaxed by Innocent the 4th. and the pious brothers, who had grown weary of mortification, were permitted to taste again the flesh-pots of Egypt.

The Austin Friars.

The brethren of this order had a house here; and it is probable, their house was the one which Edward III. granted William L. Tabourene leave to found as an oratory for eight indigent persons, with an independent chaplain of the order of St. Augustine, or Austin. There can be little doubt, that the hospital, now called Bede houses, was the residence of these brethren. The name Bede, which is from the Saxon

* BUTLER'S Lives of the Saints.

(bidan) to pray, is synonymous with the Latin term oratory, or house of prayer.

This order derives its origin from Augustine, the celebrated bishop of Hippo, near Carthage, in Africa. On his conversion he retired to his own house, in the country, with his friends. Here they enjoyed all things in common, and spent their time in devotional exercises. When he was raised to the priesthood his friends followed him to Hippo, and a house was then erected for them.

The habit of these monks was a white garment and scapulary, when they were in the house, but when in the choir or abroad they had over the former a caul and a hood, both black, which were girt with a black leathern thong.

This order was one of the mendicants, and their rules were sufficiently precise and singular. They enjoyed all things in common; and the rich, who entered this order, sold their possessions and gave the money to be equally appropriated to the use of the brethren. They were not allowed to receive alms without delivering the whole up to their superior. They employed the first part of the day in labour, and the remainder in reading and devotion. Saturday was allowed to provide necessaries, and on the Sabbath they were permitted to drink wine.

When they went abroad they were always obliged to go two together; nor were they permitted to eat out of their convent, let the calls of nature be ever so urgent. The least sexual desire was deemed a mortal sin, and the strictest chastity was enjoined.

ALL-SAINTS' CHURCH,

OR

ALLHALLOWS.

THAT a church existed here long anterior to the conquest has already been rendered probable, if not certain; and the doomsday survey establishes the fact, that one did exist at that period. The present church of All-Saints cannot, however, be referred to a period so remote. The style of its architecture is wholly what is generally denominated Gothic; and though it is probable that it has been erected at different times, there is no appearance of the Saxon style in any part of it.

It is altogether uncertain by whom the church was built*. The present structure, most probably, may be referred to the reign of Henry III. a period in which most of our Gothic parish churches were erected.

This church is in the form of a cross, with

* A late writer (see Miller's *Doncaster*) informs the public that this church was founded by Robert de Lacy, who gave it to Kirkstall Abbey. In his researches the editor has met with nothing to support such an opinion; but from the former part of this history it will appear, that Kirkstall Abbey was not founded till the time of Henry de Lacy, the second son of Robert, who was the only person of the family interred there. The gentleman above referred to, it is probable fell into this mistake through inadvertence, confounding the church of the priory of St. John with the church of All-Saints.

a handsome tower in the middle, which was crowned with a magnificent lantern, enriched with sculpture. Gent informs us, on the authority of other writers, that the four outward corners of the belfry (in which there were twelve bells) were adorned with four images of the Evangelists. The lantern is said to have been ornamented with the effigies of the eight apostles standing on pedestals joined to the several corners.

The ground plan will give the best idea of the interior. The length from east to west is fifty-three yards, and from north to south twenty-seven yards. This place is remarkable for the two entrances of a double staircase ascending to the belfry, and from thence to the top of the second battlement. The staircase is in the northwest corner, adjoining the column, but not within it. Both gradations turn round on one centre, and are both circumscribed within the same space.

The chancel was double, extending farther north, and a little farther south, than the eastern parts. A cross ile, from two opposite and proportionable doors, equally divide it, and run the whole length of its boundaries. Above the doors are two large Gothic windows.

The western part was not so broad as the eastern. The roof of the side-iles was much lower than that of the nave or body, forming a kind of penthouse to the nave, like many of our old parish churches. From the arches of the columns, which form the side-iles, a wall was carried up, and a range of windows was made, to give light to the nave or body.

A parapet wall was carried round the nave of the western part, so that any person might walk upon the roof with safety.

The windows in the east and west afford a fine specimen of the magnificence and peculiar effect of the Gothic style of architecture. They are of large dimensions, and the stone mulions exceedingly slender. These windows must have thrown a flood of light along the whole body of the church.

The cross iles and chancel only seem to have been furnished with pews and appropriated to the use of the parishioners. The whole western part, with its beautiful pointed arches, formed only a magnificent entrance to the part employed in divine service. In this respect this fine parish church strongly resembles our cathedrals and minsters.

An intelligent Roman catholic gentleman, on viewing the remains of this venerable structure, immediately pointed out the southeast part, as having been what is called, in the churches abroad, the *crypt*. This part evidently appears to have been lower than the chancel and the cross iles; and was separated from the chancel and high altar by a range of columns. In this part there was also a small altar, with a fine sculptured figure above it, in a devotional attitude. Nothing now remains of the figure but the leg; but even this specimen does such honour to the sculptor as to excite regret, that the misguided zeal of the reformers, or the fatal effects of the civil war, should have mutilated and nearly destroyed one of the best proofs of the state of the fine arts.

The *crypt*, as its name imports, was a kind of church under ground; and here some important ceremonies were performed. The design of the catholic church seems always to have been to dazzle and charm the imagination, by the pomp and magnificence of its ceremonies. Hence those events, which the Evangelists have narrated with so much simplicity and pathos, this church has converted into scenic representations. The passion of the Saviour has employed the pencil of the best artists; and to render this event more striking and impressive, the *crypt* in churches was devised. On Good-Friday, the supposed day on which the Saviour died, the host, the emblem of his person and sacrifice, was solemnly carried into the *crypt*, which on that occasion was covered with black, and laid on the small altar, to represent his body laid in the tomb. From Good-Friday till Easter sabbath morning all was silent as death. No masses were celebrated. The priests performed their devotions in secret.

On Easter day the scene was changed. The host was brought from the *crypt*, and pompously conveyed to the high altar, to represent the resurrection. To give effect to this ceremony, the priests wore peculiar dresses; high mass was performed; and gazing crowds were charmed with the scene, and regaled with the vibrating notes of the loud sounding organ.

During the siege this church received such injuries as could not easily be repaired. Its fine lantern was battered down, its interior destroyed, and the whole roof considerably damaged. Although the parliament allotted a thousand pounds,

out of the money arising from the sale of the materials belonging to the castle, towards its repairs, little appears to have been done. Above the top of the square tower an octagon was raised, with spires at each angle, instead of the ancient lantern; and this seems all that was then effected.

It would not be generous to charge the parishioners with negligence and inattention to this magnificent church. It is more consonant to charity to believe, that they found themselves incompetent to restore it to its former grandeur; and at length reluctantly resigned it to the cankering tooth of all devouring time. After the restoration one effort more was however made to save it from ruin. A brief was granted within the county, and the sum of fifteen hundred pounds was raised; which was unfortunately entrusted to a man, whose name as an antiquarian deserves respect, but whose conduct in this instance will cover it with reproach: for he embezzled the whole sum*.

It has been above observed, that this church had once no fewer than twelve bells. One of these only now remains; and some of the parishioners once wished to have it removed, and conveyed to the church of St. Giles, which at that period was without. The vicar who seems to have been partial to this venerable structure, though in ruins, called the whole of the parishioners together, to determine whether the bell should re-

* A contract deed is now in the possession of the author, between certain workmen, on the one part, and Dr. Nathaniel Johnson, the gentleman above referred to, on the other part, for the repairs of the said church.

main or be removed. The inhabitants of Knottingly, who belong to the parish, came in considerable numbers, and a great majority decided in favour of the bell remaining.

The following inscriptions, in old English letters, are cast round the bottom of the bell. *Hæc campana beata sacra Trinitati fiat.* May this blessed bell be sacred to the Trinity. *Hæc est tuba Dei.* This is the trump of God. *I H E nomen ei **. The date is 1598. Various coats of arms are also cast on the bell.

On the termination of the siege, the lantern of the church had been injured so much, that it is probable some of the bells had been destroyed, and others taken down. There is a tradition that Col. Bright, who was a distinguished officer in Lambert's army, and who was deputed to treat for the surrender of the castle, availed himself of his interest with the general to obtain some of these bells, for his own parish church of Badsworth, where they now remain †.

The church of All-Saints was given to the priory by its founder, Robert de Lacy. The brethren of this house performed divine services, and enjoyed all the tithes, firstfruits and oblations of the parish. The rectory continued in

* The author leaves it to the learned reader to make out this part of the inscription. Had the last letter been an S, as we generally find I. H. S. the initials of Jesus hominum Salvator, the sense would have been, "May Jesus the Saviour of men be the name given to it." But as it stands the author readily acknowledges his inability to explain it.

† Having examined these bells, it does not appear from the dates that more than one bell could have been removed, unless they have been recast. The tenor is dated 1582, and the three others date after the restoration.

their possession till the surrender of the house to the king; when it went as part of their property, to the augmentation of the king's revenue.

It was leased off to Peter Mewtas, Esq. at the annual rent of twenty two pounds fourteen shillings. It now makes one hundred and seventy-one pounds nineteen shillings, although some parts of it have been sold to other persons.

In the forty-third of Queen Elizabeth there was a suit instituted in the court of Exchequer, about the reparation of the chancel of the church of Pontefract; and by the proceedings in the suit it appears, that the different parts of the rectory were still in the possession of the crown, but under lease in separate parcels to the following gentlemen, Baron Saville, Edward Talbot, Esq. Thomas Beverley, Esq. Thomas Riccard, gent. Robert Frank, gent, and William Stables, gent.

The whole rectory continued in the possession of the crown, till the beginning of the reign of James I. when the following portions of it were alienated,

The tithes of grain in Hardwick Roods, value six shillings and eightpence, and the tithes of grain in Pontefract, value eight pounds, were granted to Lawrence Baskerville, John Styles, Humphrey Bunhel, in fee by letters patent, dated the 29th Oct. the second of James I.

The following abstract of leases of various parts of the rectory, now remaining in the Augmentation office, will shew what tithes then formed the rectory.

	LESSEES.	RENT.
		£. s. d.
1562, Tithes of hay de Villa de Pontefract,	<i>John Bathe,</i>	1 18 8
1567, Ditto of grain, do.	<i>Fran. Kempe,</i>	8 0 0
1569, Do. of hay and grain of Ferrybridge,	<i>John Beverley,</i>	5 13 4
1578, Do. of grain, Knottingley,	<i>Rob. Arthington,</i>	9 0 0
1591, Do. of hay, East-Ings, do.	<i>J. Belhouse,</i>	11 4
6 Eliz. Do. hemp and flax do.	<i>Rob. Cooke,</i>	} 9 0
Do. hay West-Ings, do.	do.	
1565, Do. of grain, Hardwick Roods,	<i>R. Errington,</i>	6 8
6 Eliz. Do. corn and hay of South-Hardwick,	<i>Rob. Cooke,</i>	4 6 8
1594, Do. of corn and hay, Spittle-Hardwick,	<i>Wm. Stables,</i>	2 10 0
		<u>£. 30 15 8</u>

Whether the monks, who enjoyed the rectory, became negligent in the discharge of their spiritual functions, or whether it was deemed more proper for one of the secular clergy to discharge such duties, we find a vicar appointed as early as Edward III.

John, Archbishop, ordained Nov. 20, 1461, that the prior and convent of Pontefract, and their successors, should for ever entirely receive all and singular the fruits, rents, profits, tithes, oblations and emoluments, of this church of All-Saints,

And pay to M. Adam de Scargill, then vicar of that church, and to his successors, thirty marks per annum quarterly in the same church,

in the name of the whole and entire portion of his vicarage;

And shall bear all burdens ordinary and extraordinary incumbent on the same, excepting synodals only, which the vicar shall pay for the time being.

August 1, 1452, the archbishop made this new ordination of the vicarage of All Saints, of Pontefract, viz. That John White, then vicar, and his successors, should have for their habitation one house situate nigh the said church, called vulgarly Balay-Place, with the garden to the same adjoining,

And that the prior and convent of Pontefract should receive all the fruits, profits and tithes thereof, &c. and pay to the said vicar, and his successors, twenty marks, in English money, per annum, quarterly in the said church of All-Saints,

And bear all burdens ordinary and extraordinary, whatsoever incumbent on the said church.

In the year 1533, an agreement was made between the mayor and commonalty on one part, and the prior and convent on the other, respecting the finding and sustaining certain chaplains within the church of All-Saints, who should celebrate divine offices therein, and administer the sacrament to the parishioners. In consequence of this the archbishop ordained that there should be within this parish church of All-Saints, two chaplains perpetually found and sustained by the said prior and convent. One of which should celebrate in the chapel of St. Giles, at the cost of the said prior and convent, and the other should celebrate and administer

the sacrament and sacramentals in the said church of All-Saints, &c.

Are we to consider this as evidence that the vicarage now ceased? Or is the vicar to be considered as one of the chaplains? This latter supposition seems most probable.

On the suppression of the monastery the vicarage was suffered to remain, but without any augmentation or fresh endowment. The only change the vicarage underwent was, that the crown, in lieu of the sum of thirteen pounds six and eightpence, permitted the vicar to receive the small tithes. Although this fact is unsupported by any express grant of the crown, it cannot be questioned. In the accounts of the rents of the rectory, there is nothing deducted for the vicar, as there would have been had any sum been paid; and in the leases of tithes, there is no mention whatever of the small tithes, which undoubtedly belonged to the rectory, as well as those of grain and hay. From this it may be inferred that on the suppression of the priory, and the impropriation of the rectory by the crown, the vicar received the small tithes in lieu of what had before been allowed.

This vicarage was so poorly endowed, that when the commission of enquiry into the true value of all ecclesiastical benefices was executed, it was discharged for ever from the payment of tenths and firstfruits, and at that period could not be above the value of fifty pounds per ann. In Bacon's *Liber Regis* it is stated at the clear yearly value of ninety pounds.

Vicars of All-Saints' Church, down to the Restoration.

Temp. Inst.	Vicarii.	Patroni.	Vacat.
	Dns. Hugo de Birkesburgh.	P.&C.deP.	p.mort.
1267.	Dns. Tho. Beks, Cl.	Iidem.	
16 kal. Julii, 1302.	Dns. Adam Polit, Pr.	Iidem.	
6 kal. Aug. 1316.	Dns. Nic. de Erghes, Pr.	Iidem.	p. resig.
4 kal. Maii, 1329.	Dns. Will. de Sutton, Cap.	Iidem.	p. resig.
16 kal. Sep. 1338.	Dns. Rog. Paxton, Cap.	Rex. &c.	p. mort.
2 Feb. 1349.	M. Adam de Scargill, Diac.	Rex. &c.	p. resig.
16 Mar. 1349.	Dns. Will. de St. Albano.	E. 3 Rex.	p. resig.
24 Jan. 1350.	Dns. Hugo de Saxton, Cap.	Rex. &c.	p. resig.
2 Jan. 1355.	Dns. Joh. del Becks, Cap.	Rex. &c.	
	Hugo de Saxton.		p. resig.
17 Nov. 1361.	M. Adam de Scargill O.C.E.	Iidem.	
25 Nov. 1361.	Dns. Ric. Douks.	Iidem.	p. resig.
15 Apr. 1364.	Dns. Will. Danke, Cap.	Iidem.	
	Dns. Joh. Thornton.	Iidem.	p. mort.
5 Maii, 1437.	Dns. Joh. Cudworth, Pr.	Iidem.	p. resig.
23 Feb. 1438.	Dns. Joh. White.	Iidem.	p. mort.
20 Julii. 1465.	Mr. Tho. Challoner, Cap.	J.Lathu,h.v.p.	p.mort.
3 Aug. 1483.	Dns. Ric. Beryman, Cap.	P.&C.deP.	p. resig.
15 Sep. 1483.	Dns. Joh. Stodfolde, Cap.	Iidem.	p. mort.
24 Mar. 1485.	Dns. X'topher Bargh, Cap.	Iidem.	p. mort.
7 Junii, 1486.	M. Tho. Harryson, M.A.Pr.	Iidem.	p. mort.
3 Junii, 1489.	Dns. Peter Beke, Cap.	Iidem.	p. resig.
7 Mar. 1490.	M. Rob. Cutteler.	Iidem.	p. mort.
12 Feb. 1503.	M. Tho. Bromflete, M. A.	Iidem.	p. mort.
20 Nov. 1506.	M. Rob. Womersley, M.A.	Iidem.	p. mort.
12 Apr. 1438.	Dns. Joh. Barkar, Pr.	Iidem.	p. mort.
16 Julii, 1568.	Ric. Asheton, Cl.	J. Botenian, &c.	
12 Dec. 1588.	Tho. Haman, Cl.	Eliz.Reg.	p. resig.
24 Junii, 1595.	Laur. Barkar, Cl. M. A.	Eadem.	p. resig.
21 Junii, 1597.	T. Pulleyne, Cl. M. A. ob. 1627.	Eadem.	p. resig.
3 Mar. 1624.	Will. Stiles, Cl. B. A.	Rex. Jac.	
	Joseph Ferret.		p. resig.

Chantry.

In this church there was one or more chantries*. In an account of the tithes belonging to the deanry of St. Clement, in the Augmentation office, this chantry is mentioned as founded by Rob. Rishworth, who endowed it with lands within the parish of Pontefract. This appears to have been on the north side of the east part of the church, where the place for the altar still remains.

Testamentary Burials, from Torre's Manuscript.

Die Jovis prox. post festu St. Nici, 1387, Joh. de Gayton. of Pontefract, made his will, (proved) giving his soul to God Almighty, St. Mary and All-Saints, and his body to be buried within the church of All-Saints, in Pontefract.

Die Lunæ prox. post festu St. Petri ad vincula, 1390, Rob. de Beghall, of Pontefract, made his will (proved Feb. 1390,) giving his soul to God Almighty, and his body to be buried in the church of All-Saints, of Pontefract.

Die Jovis in festo St. Matthei, April, 1391, Roger Silkston, of Pontefract, made his will,

* These foundations were possessed of great wealth, derived from the pious pretence of saying masses for departed souls. The chantries were generally annexed to churches, and we are told that there were no less than forty-seven within St. Paul's Cathedral: each of these had a separate, generally landed, estate. They were given to the king by the parliament, in December 1547, though not without much opposition, as well from Protestants as Papists; and thus went the last remnant of that immense mass of property, which had been wrested from the Romish clergy in the course of the last fifteen years.

(proved Oct. 15, 1591,) giving his soul to God Almighty, St. Mary and All-Saints, and his body to be buried in the church of All-Saints, in the town of Pontefract.

Die Jovis ante festum St. Nici Epi, 1427, William Carlell, of Pontefract, made his will, (proved Jan. 24, 1427,) giving his soul (ut supra,) and his body to be buried in the parish church of All-Saints, in Pontefract.

Dec. 7, 1434, William Cawdray Physitian, made his will, (proved Feb. 15, 1434,) giving his soul (ut supra,) and his body to be buried in the parish church of All-Saints, Pontefract,

November 17, 1435, John Saxton, of Pontefract, made his will, (proved Dec. 5, 1435,) giving his soul (ut supra,) and his body to be buried in the church of All-Saints, Pontefract.

April 29, 1437, John Thornton, vicar of Pontefract, made his will, (proved May 6, 1438,) giving his soul (ut supra,) and his body to be buried in the parish church of All-Saints, Pontefract.

April 12, 1443, Rob. Methley, of Pontefract, Fisher, made his will, (proved May 8, 1443,) giving his soul (ut supra,) and his body to be buried in the parish church of All-Saints, of Pontefract.

Oct 14, 1443. John Sharp, of Pontefract, made his will, (proved Dec. 10, 1443,) giving his soul to God Almighty, St. Mary and All-Saints, and his body to be buried in the parish church of Pontefract.

June 10, 1445, John Devyas, of Pontefract, made his will (proved June 19, 1445,) giving his soul to God Almighty, St. Mary and All-

Saints, and his body to be buried in the church of All-Saints, of Pontefract, before the image of St. John, the Baptist.

August 23, 1446, John Finney, of Pontefract, made his will, (proved Oct. 10, 1446,) giving his soul (ut supra,) and his body to be buried in the parish church of All-Saints, of Pontefract.

December 24, 1446, John Thomlynson, of Pontefract, made his will, (proved Feb. 11, 1446,) giving his soul (ut supra,) and his body to be buried in the parish church of All-Saints, of Pontefract.

November 14, 1447, Joanna, wife of Tho. More, of Pontefract, made her will, (proved March 22, 1448,) giving her soul to God Almighty, and her body to be buried in the church of All-Hallows, of Pontefract..

February 1, 1452, Richard More, of Pontefract, made his will, (proved March 8, 1452,) giving his soul to God Almighty, St. Mary and All-Saints, and his body to be buried in the parish church of All-Saints, of Pontefract.

May 3, 1454. William Danby, of Pontefract, made his will, (proved Aug. 7, 1454,) giving his soul (ut supra,) and his body to be buried in his parish church of All-Saints.

Jan. 9, 1461, Robert Roper, of Pontefract, made his will, (proved Jan. 14, 1461,) giving his soul (ut supra,) and his body to be buried in the parish church of All-Saints, of Pontefract,

June 8, 1462, John Medlay, of Pontefract, made his will, (proved Aug. 14, 1462,) giving his soul (ut supra,) and his body to be buried in the church of All-Saints, Pontefract.

John Balne, of Pontefract, made his will,

(proved May 8, 1464,) giving his soul to God Almighty, St. Mary and All-Saints, and his body to be buried in the parish church of All-Saints, Pontefract.

July 24, 1471, John Swillington, of Pontefract, made his will, (proved Sep. 5, 1471,) giving his soul (*ut supra*,) and his body to be buried in the church of All-Saints, Pontefract.

May 20, 1482, Tho. Challoner, vicar of All-Saints, Pontefract, made his will (proved July 29, 1482,) giving his soul (*ut supra*,) and his body to be buried in the chancel of the said church.

May 29, 1489, Tho. Harryson, M. A. vicar of the church of All-Saints, Pontefract, made his will, (proved June 6, 1489,) giving his soul (*ut supra*,) and his body to be buried according to the custom.

July 15, 1497, Roger Hartop, of Pontefract, made his will, (proved June 28, 1499,) giving his soul to God Almighty, St. Mary and All-Saints, and his body to be buried in the church of All-Saints, before the image of St. Peter.

Ult. March. 1547, Ric. Thwaytes, of Pontefract, made his will, (proved July 21, 1547,) giving his soul to God Almighty, St. Mary and All-Saints, and his body to be buried in the church of All-Hallows, in Pontefract.

July 18, 1548, William Arthyngton, of Knottingley, gent, made his will, (proved May 8, 1549,) giving his soul (*ut supra*,) and his body to be buried in the high quere, before his stall, within the church of All-Hallows, of Pontefract.

July 27, 1600, Bridget Eltofts, of Brother-

ton, gentlewoman, made her will, (proved Feb. 26, 1600,) giving her soul to God Almighty, her Creator and Redeemer, &c. and her body to be buried in the parish church of All-Hallows, in Pontefract.

March 4, 1600. Leonard Healaighe, of Pontefract, gent. made his will, (proved April 30, 1601,) giving his soul to God Almighty his Creator, and to Jesus Christ his Redeemer, and his body to be buried in the parish church of Pontefract, nigh his wife.

January 15, 1606, Henry Kaye, of Knottingley, gent. made his will, (proved April 21, 1607,) giving his soul to God Almighty, and his body to be buried in the parish church of Pontefract.

September 7, 1613, Christopher Sands, of Pontefract, gent. made his will, (proved Dec. 18, 1615,) giving his soul (*ut supra*,) and his body to be buried in the parish church of Pontefract.

January 8, 1616, William Stables, of Pontefract, made his will, (proved May 8, 1617,) giving his soul to God Almighty, his Creator and Redeemer, and his body to be buried in the parish churchyard of All-Hallows, in Pontefract.

January 16, 1618, John Frank of Pontefract, alderman, made his will, (proved July 2, 1622,) giving his soul (*ut supra*,) and his body to be buried in the parish church of All-Hallows, Pontefract.

1619. William Holgate, of Pontefract, gent. made his will. (proved May 4, 1620,) giving his soul (*ut supra*,) and his body to be buried in the parish church of All-Hallows, in Pontefract, near his father.

May 9, 1620, Richard Twaites, of Pontefract, gent. made his will, (proved June 15, 1620,) giving his soul to God Almighty, and hoping through Jesus Christ to be saved, and his body to be buried in the parish church of All-Hallows, in Pontefract.

December 19, 1621, Allen Aire, of Pontefract, gent. made his will, (proved May 9, 1622,) giving his soul (ut supra,) and his body to be buried in the parish church of All-Saints, in Pontefract.

January 17, 1626, Henry Franke, of Pontefract, made his will, (proved April 13, 1627,) giving his soul (ut supra,) and his body to be buried in the south alley of the church of All-Hallows, in Pontefract, near his sister Twaites.

July 27, 1627, Administration of the goods of Tho. Pulleyn, late vicar of Pontefract, deceased, was granted to Francis Pulleyn, his son.

April 18, 1638, John Grymesditch, of Newhall, Esq. made his will, (proved) giving his soul (ut supra,) and his body to be buried in the parish church of Pontefract, near his father.

December 12, 1672, John Ayscough, of Pontefract, gent. made his will, (proved Oct. 8, 1679,) giving his soul to God Almighty, his Creator and Redeemer, and his body to be buried in the parish church of Pontefract.

St. Clement's Chapel, within the Castle.

This chapel was built by Ilbert de Lacy, in the reign of William Rufus, and was doubtless designed as a place of worship for himself

and his attendants, including those who dwelt in the park and St. Nicholas' hospital*, It appears from the foundation which still remains, to have been on a small scale, and not capable of containing more than three hundred people. Situated close to Constable Tower, and extending towards the King's Tower, it was securely protected from the hostile attacks of an enemy.

This chapel was amply endowed by its founder. He gave two parts of the tithes of the demesne lands of Camaselle†, Rodewell‡, Barwica§, Warlington, Chipsey cum Arleton, and Ledston, for which the said church had one mill in Newsome.

Also the tithes of his demesnes in Octon¶, and Wolmersley; Chamsale and Emesale, in Linsey, Lincolnshire. Also in Cherisbery, and Frisbery, in the county of Nottingham; and in Hickleton, Stainton, and Lusham, in the county of Oxford.

Also the tithes of his own herds, and of his fishery of Knottingley, together with five oxgangs of land there. Also the tithes of apples in Rodewell, Cherwist, and Went¶¶, and of one mill in Burgo**.

Robert de Lacy gave in Knottingley the sixth part of an oxgang of land, in lieu of which, he afterwards gave two parts of the tithes of Norton, great Emsala, and Hemelswurd.

* In the certificate of colleges, first of Edward VI. it is said that in St. Nicholas' hospital was made all their offerings and privy tithes to the dean.

† Campsall. ‡ Rothwell. § Barwick, in Elmet.

¶ Houghton, now called Glass-Houghton.

¶¶ Probably the village now called Wentbridge.

** Now called Burghwallis.

He also gave two oxgangs of land in Feria, (or Ferrybridge;) and Roger Pictavus gave two parts of the tithe of grain in Altofts. Ilbert de Ramosvilla gave two parts of the tithes of grain, of his own land, in Chamsala.

Ernulphus gave also two parts of the tithe of grain in Prestona, (or Purston Jaglin;) and the same in Rovedena.

Gilbert, the son of Dama, gave two parts of the tithe of grain in Stapiltona, and Rodulphus, the same in Thorpe-Audlin, and the tithe of the mill there.

Radulphus, the son of Edelina de Stubs, near Enecelam, gave two parts of the tithe of grain; and one Chemi the same out of his demesne.

Henry de Lacy gave one half of the tithe of Scelbroke.

William Pictavus gave two parts of the tithe of grain in Scaliella.

Ansgotus Ruffus gave the same in Hanpole, and Girardus de Ramosvilla gave the half part of his own tithe in Smeadetona; and Gerbadus two parts of the tithe of one carucate in Frystona.

Umfrid de Villeio also gave two parts of the tithe of the corn in Snetela, and Newtonia*.

Robert de Somerville gave the third part of one carucate of land in Seacroft†.

* The villages of Smithals and Newton.

† It appears from these grants that the proprietors of land considered tithes as personal property, and gave them in what proportion and to what place they thought proper. At this period it is evident parish churches only received such tithes as were freely granted, and had no claim to any portion of tithes arising from other lands within the parish. In process of time the church extended her claims, and by degrees suc-

This chapel was collegiate and free*, and governed by a dean. It is said to have had three prebends. In the charter of Ilbert, the son of Robert de Lacy, two persons are only mentioned, Ranulphus Grammaticus and Godfridus, the presbiter; and in the rental no prebend is mentioned, but that of the son of Theobald de Luce. This chapel was given by the founder to the priory.

At the dissolution of the priory, an inventory was taken of the goods, ornaments and plate, belonging to this chapel. The goods were valued at two pounds eight shillings and tenpence; and the plate used in celebrating divine service, at four pounds fourteen shillings and eightpence.

The rental of the deanry is stated to have been twenty-two pounds twelve shillings and sevenpence†. A part of the tithes which belonged to the deanry, within the parish of Pontefract, are now in the possession of Bacon Frank, Esq. and covered by a modus.

This chapel, in the sixteenth century, was in such a delapidated state that it was found necessary to rebuild it. Queen Elizabeth had the honour of this work. She completely rebuilt it, but suffered it to retain the name given at its dedication.

ceeded in obtaining the tithes of the whole parish. Without any positive law, usage has founded a right, on which the incumbent of every parish now demands his tenths.

* Free chapels were places of religious worship exempt from the jurisdiction of the ordinary. They were mostly built upon the manors and ancient demesnes of the crown, whilst in the hands of the king, for the use of himself and retinue, when he came to reside there. When the crown parted with these estates the chapels went along with them, and retained their first freedom.

† Certificate in the Augmentation office.

At the surrender of the castle, this chapel suffered the same fate with that fortress, and nothing now remains but the foundation.

A Catalogue of the Deans of this Chapel.

TEMP.	DECANI CAPELLE.
142.	Dns Tho. Wykersley.
142.	M. John de Waynefflete.
143.	M. Joh. Thorneton.
144.	M. Joh. Lathom.
15..	Iac. Thwaytes, (obiit Oct. 1545.)

As the deanry of Pontefract forms one of the ecclesiastical divisions of the county, it is deemed necessary to give the following list of the churches included within it*.

The Names of the Parishes and Chapelries within Pontefract Deanry.

Ackworth,	Cumberworth Chap.
Adlingfleet,	Castleford,
Almondbury,	Calverley,
Armin Chapelry,	Crofton,
Batley,	Coley Chap.
Birstall,	Crostone Chap.
Bradford,	Chapelthorp Chap.
Briars Chapelry,	Carlton Chap.
Cleckheaton Chap.	Darrington,

* Visitations are held annually within each deanry in the county; and at these visitations the clergy within the division are bound to attend. These visitations were formerly held here, but, to suit the convenience of the clergy, are now held at Wakefield.

Dewsbury,	Morley Chap.
East Ardsley,	Methley,
Emley,	Mirfield,
Elland Chap.	Normanton,
Featherston,	Osset Chap.
Flockton Chap.	Pudsey Chap.
Ferry-Fryston,	Pontefract,
Goole Chap.	Rastrick Chap.
Honley Chap.	Ripponden Chap.
Haworth Chap.	Rothwell,
Hartishead' Chap.	Roecliffe Chap.
Huddersfield,	Scammonden Chap.
Halifax,	Slaithwaite Chap.
Holy Trinity, Halifax,	Sowerby-Bridge Chap.
Heptonstall Chap.	Sowerby Chap.
Holmfirth Chap.	Sandal Magna.
Hooke Chap.	Snaith,
Horbury Chap.	Swinfleet Chap.
Idle Chap.	Tong Chap.
Illingworth Chap.	Thornhill,
Kirkburton,	Thornton Chap.
Kirkheaton,	Wibsey Chap.
Kellington,	Womersley,
Knottingley Chap.	Warmfield,
Lightcliffe Chap.	Wragby,
Luddenden Chap.	Woodkirk,
Longwood Chap.	Wakefield,
Marsden Chap.	St. John's, Wakefield,
Meltham Chap.	Whitgift.

The Church of St. Giles.

This church is mentioned as early as the time of Henry I. in the charter of Hugh Delaval; and from circumstances noticed in the

charter, it must have been built some time before. A part of it is said to have belonged to the canons of St. Oswald, but he, by the hand of Archbishop Thurston, deprived the canons of their part, and gave the whole to the priory of St. John here.

It is singular that the name given to this church in the above mentioned charter, is that of St. Mary. The same name is given to it in the will of William Hagwyk, as late as the beginning of the fifteenth century. As there was a chantry to the blessed virgin, is this the reason why it is called by her name? Or is this the original name, and that of St. Giles only given to it, because situated near the ground where the annual fair was kept on St. Giles' day?

Leland informs us that it was called St. Leonard's * in the frith, or wood; from which it may be inferred that at the time of its erection, the town lay around the church of All-Saints. This must have been long anterior to the time of Leland, as he informs us that the fairest part of the town was here. In Delaval's charter it is called St. Mary de foro; from which it follows, that the markets and fairs were then held there.

This church appears to have been originally of very small dimensions. It has been enlarged both in breadth and length. The south ile as well as the present chancel, seem to have been added to the original structure. The length of the church, from east to west, is forty-two yards

* As no other writer has mentioned this name, it is probably an error, and ought to have been St. Mary's.

and three quarters; and the breadth, from north to south, is eighteen yards and two feet. The old steeple was about seven yards square, and thirty-six yards high to the top of the spire.

After the siege the ruined condition of the parish church of All-Saints, rendered it necessary to perform divine service in this of St. Giles; and from that period this church has undergone various alterations and improvements. It had only a small broach steeple without any bells, previous to the year 1707. At that period Sir Tho. Bland, of Kippax Park, the member for this borough, gratified his constituents by building, at his own expence*, the steeple, which on account of its shattered state, was lately pulled down and the present erected.

This church is now in excellent repair, and its interior yields to few in neatness. The chancel has been lately ornamented with a fine painting by John Standish, a native of the town, and a self taught artist of eminent merit. The subject is the crucifixion; and as far as the pencil can realize the awful scene, it is here realized. The attitude of the Saviour, when he had yielded up the ghost, is finely conceived and well expressed. The group of pious women, who stand around the cross, among whom Mary, our Lord's mother, is distinguished by her looks, and the poignancy of her sorrow, adds considerably to the effect, and the whole lives on the canvas.

With all the improvements this church has received, it cannot bear a comparison with what the mother church of All-Saints once was. Con-

* It cost him one hundred pounds.

tracted in its dimensions, and built without regard to any order of architecture, it bears, the steeple excepted, a strong resemblance to what a modern reverend author, in the abundance of his charity, calls a conventicle. The artist, or the man of taste, will find none of those sublime and awful impressions while contemplating this church, which he cannot fail to experience while beholding even the ruins of that of All-Saints.

The ordination of the vicarage has been noticed; and a list of the vicars down to the restoration of Charles II. has been given. Circumstances which have occurred since that period, and which more properly regard this than the mother church, are now to be detailed.

The church of All-Saints being deserted as a place of worship, and only used as a part of the burying ground, and this of St. Giles being appropriated to the use of the parish, was generally considered as a parish church, and as enjoying all the rights of one. It had been usual for the different townships, within the parish, to contribute a proportionate sum annually, as a church assessment. Owing to some extraordinary expences, the township of Knottingley refused to pay this assessment, and a suit commenced between that township and Pontefract. After considerable sums of money had been spent by both parties, and much ill will excited, it was found that the assessment in dispute, though purporting on the face of it to be for repairing the parish church, was actually applied to repair that of St. Giles; but as such application could not be supported by law, the contending parties entered into an agreement, in which

it was stipulated that the township of Knottingley should for ever hereafter pay the sum of twelve pounds annually, to the churchwardens of Pontefract, and that this sum should never be increased.

This trial discovered to the parish its humiliating condition. Its parish church was in ruins, and never likely to be restored. It had a church, but it was not the parish church; and could not enjoy the same sanctity, rights and privileges. The parishioners could not be compelled to pay the assessment for the repairs and support of the church. It was happy for the parishioners that the parliament possesses that plenitude of power, that it can, by its sole act, consecrate or desecrate; can raise a church from a state of insignificance and dependence, to the privilege and honour of being the head of a parish. To this power application was made, and the poor despised church of St. Giles' in the wood, was by act of parliament, the 29th George III, constituted the parish church of Pontefract.

The uncertainty of the law has become proverbial, but in no case is the uncertainty of it more apparent than in respect to tithes. As the right to tithes is founded on usage and prescription, which are in some things contradictory, in others obscure, and in many uncertain, hence have arisen those feuds and litigations respecting tithes between a parish and the incumbent, which often continue for years, and at last are terminated without satisfaction to either party. When the usage is best established, the desire of the incumbent, on the one part,

and a spirit of resistance, on the other, which the parish displays, produce the same unhappy effects. In some cases rather than enter into a contest the parish submits, and thus new customs and usages arise and become established.

The above reflections naturally arise, on considering the claims which have been made by successive vicars of this parish.

In a statement given in at the visitation by the most reverend Father in God John, by divine providence, Lord Archbishop of York, and Primate of England and Metropolitan, Oct. 10, 1684, the churchwardens of this parish describe the property of the vicar, and the dues which he had a right to claim, in the following manner.

“ Our present vicar, Mr. Francis Drake, hath a good convenient Vicarage, with gardens and orchards at the back of it. Also one acre close, more or less according to our estimation, called the vicarage close. Also an house adjoining the chapel of St. Giles, and fronting the cross. Also a stable fronting the chancel door.”

“ As oblations twopence a communicant, and all above sixteen years old. Our vicar hath twopence for every pound wage a servant hath; and for a

Messuage, 3 <i>d</i> .	Pigeons, every tenth,
Cottage, 2 <i>d</i> .	Dove manure, every tenth
Garden, 1 <i>d</i> .	met,
Reek, ob.	Plow, 6 <i>d</i> .
Bees, in-kind or comp.	Wool, in kind,
Foles, 6 <i>d</i> .	Lambs, in kind,
Cows, 1 <i>d</i> . each,	Ducks, in kind,

B b b

*

Calves, ob.	Orchards, in kind,
Pigs, in kind,	Licorice, in kind if not
Line, in kind,	compounded with du-
Rape, in kind,	ring his time,
Hens, 3d.	Hemp, in kind.

Surplice Fees.

BURIALS.

MARRIAGES.

The Cross Ile, 6s. 8d. With bans published,
The Chancel, 10s. 2s. 6d.

In the Churchyard, 9d. With Licence, 5s.

Body of the church, 2s. 6d. Churchings of Women,
All Mortuaries according to statute.

“Twenty shillings per annum for preaching two sermons on Mayday and All-Saints, according to the will of Mr. Robert Moore.”

“He doth and may receive *all other tithes, dues and oblations*, as licorice, rape, &c, in kind, or if he please compound during his time, *except hay and corn only.*”

Signed by

Matthew Sefton, Ferry-bridge,	F. Drake, Vicar,	
Thomas Jackson,	Sam. Willan,	
John Lee,	Tho. Taylor,	} Churchwardens,
Roger Jesop, Knotting.	Jar. Shillito,	
	Jam. Hurst,	

In the statements given in by the churchwardens, at the visitations of the primate, from the above date down to a late period, there is observable a variation and a gradual increase in the claims of the vicars. By a claim delivered to the parish, dated vestry April 26, 1796, the present vicar claimed the following dues.

For every messuage, 6 <i>d</i> .	Gardens, per acre 10 <i>s</i> .
For each person above sixteen years old, 8 <i>d</i> .	Nursery and seed ground, per acre 10 <i>s</i> .
For each pound in servants' wages, 2 <i>d</i> .	Cabbages, for feeding cattle, per acre 7 <i>s</i> . 6 <i>d</i> .
For each pigeon cote, 5 <i>s</i> .	Rapes, each pound in price, 1 <i>s</i> . 6 <i>d</i> .
7 <i>s</i> . 6 <i>d</i> . or 10 <i>s</i> . according to value,	Do. when eaten, p. acre 3 <i>s</i> .
For each cow, 8 <i>d</i> .	Hemp and line, per acre 5 <i>s</i> .
For each calf, 1 <i>d</i> .	Potatoes, per acre 5 <i>s</i> .
For each litter of pigs, 2 <i>s</i> . 6 <i>d</i> .	Clover Seed and wood, each pound in price, 1 <i>s</i> . 6 <i>d</i> .
For each foal, 1 <i>s</i> .	Turnips according to value or per acre 3 <i>s</i> .
For each turkey, 1 <i>d</i> .	For each Lamb, 6 <i>d</i> .
Goose, 1 <i>d</i> .	For each fleece of wool, 2 <i>d</i> .
Duck, 1 <i>d</i> .	For each acre of pasture, allowing for the sustenance of profitable stock. 3 <i>s</i> .
For each plow, 6 <i>d</i> .	
Orchards 1 <i>s</i> . in the pound, price or value,	
Licorice 1 <i>s</i> . in the pound, price or value,	

On presenting the above statement a considerable degree of irritation was excited. It was obvious that some of the dues claimed were wholly unsupported by previous usage and custom, such as agistment tithe, clover seed, nursery and seed ground; and that others were considerably augmented, as houses, closes, gardens and turnips. It is not surprising that the parishioners should feel inclined to resist such claims; but considering the expence and uncertainty of litigations of this nature, the leading gentlemen deemed it most prudent to adopt conciliatory measures; and finally to determine

all disputes, it was agreed to obtain an act of parliament, by which the claims of the rectory, deanry and vicarage should be regulated in future. Accordingly the different parties agreed to receive certain sums of money in lieu of their respective claims; which sums are always to be regulated by the average price of corn for the last seven years, as will appear by the following extract from the act, entitled

An Act for Dividing, Allotting, and Inclosing certain Open and intermixed Lands and Grounds, within the Township of Pontefract, in the West Riding of the County of York, and making Compensation for the Great Tithes of the said Lands and other Lands in the Townships of Pontefract, Tanshelf, and Carleton, within the Parish of Pontefract, and also for the Vicarial tithes of the said Parish.

“ It was enacted that the tithes of corn, grain, and hay, and tithes of every denomination whatsoever, moduses or other payments in lieu of tithes, arising within the townships of Pontefract, Tanshelf, and Carleton, due and payable to Lord Harewood, should cease and be for ever extinguished, and that in lieu thereof there should be paid to him, in the nature of corn rents, the sum of one hundred and fifty pounds per annum; also that the tithes of corn and grain, and tithes of every denomination whatsoever, belonging to Lord Harewood and Bacon Frank, Esq. arising from and within a certain disputed district of land, should also cease and be for ever extinguished,

and that in lieu thereof there should be paid such yearly sum of money per acre, in the nature of corn rents, as should be equal upon an average to the other rents payable to the said Lord Harewood in lieu of tithes within the said Townships of Pontefract and Tanshelf, and that for the purpose of ascertaining such sums of money or corn rents, the commissioners should value all lands and grounds within the townships of Pontefract, Tanshelf, and Carleton, and by their award declare what proportion the lands and grounds within each of the said townships of Pontefract, Tanshelf, and Carleton, should raise and pay in a gross sum; and then rate such lands and grounds according to the proportion of the said annual sums which the township wherein such lands and grounds are situate should be declared to raise and pay; and should in their said award ascertain and set forth what quantity of wheat would amount and be equal to the said yearly sums distinguishing the quantity of such wheat payable by each township; and then apportion, settle, and ascertain the respective annual sums of money or corn rents at the rate per acre, which each and every proprietor of lands and grounds should or ought, upon such valuation, to be charged and chargeable with: And that an annual sum of two hundred and seventy pounds, free from all taxes and deductions whatsoever, should be assessed and raised in like manner, and paid to the vicar of the said parish for the time being, in lieu of and as a full compensation for the vicarial or small tithes, of every denomination, belonging to the vicar, and Easter offerings;

and that the said commissioners should make a valuation of all houses and lands in Pontefract, Tanshelf, Carleton, Knottingley, East Hardwick, Spittle Hardwick, and Monkhill, and in such part of Ferrybridge as lies within the said parish of Pontefract, and should apportion, settle, ascertain, and assess the respective annual sums of money which each owner and proprietor of such houses, and lands ought to be charged with, and should then ascertain and declare what quantity of wheat should be equivalent to the proportion of the said annual sum which each respective owner and proprietor of houses and lands should by such award be assessed to pay, in lieu and full satisfaction and compensation of all vicarial or small tithes, and Easter offerings thereby extinguished."

According to the purport and intention of the above act commissioners were appointed, a valuation of the parish was made, and the following award rendered final:

The commissioners, on inquiry, found that the average price of wheat, for the fourteen years preceding the passing of this act, was six shillings and three halfpence per bushel, and that 490*bus.* 1*p.* 5½*qts.* would be equal to one hundred and fifty pounds, the sum to be paid to Lord Harewood, in lieu of his rectorial tithes, which they proportioned amongst the several townships in the parish as follows,

			<i>Bus.</i>	<i>p.</i>	<i>qts.</i>		<i>£.</i>	<i>s.</i>	<i>d.</i>
Pontefract,	-	-	203	0	1½	or	62	2	4
Monkhill,	-	-	3	5½		or		5	8

		<i>Bus.</i>	<i>p.</i>	<i>qts.</i>		<i>£.</i>	<i>s.</i>	<i>d.</i>
Tanshelf,	- -	76	2	6	or	23	9	0
Carleton,	- -	209	3	1	or	64	3	0
		<u>490</u>	<u>1</u>	<u>5½</u>		<u>£150</u>	<u>0</u>	<u>0</u>

They also settled that the said disputed district should raise eighty three bushels and seven quarts, equal in value, at the rate aforesaid, to twenty-five pounds eight shillings and ninepence, which they awarded as follows,

	<i>Bus.</i>	<i>p.</i>	<i>qts.</i>		<i>£.</i>	<i>s.</i>	<i>d.</i>
To Lord Harewood,	71	3	1½	or	21	19	0
To Bacon Frank, Esq.	11	1	5½	or	3	9	9
	<u>83</u>	<u>0</u>	<u>7</u>		<u>£25</u>	<u>8</u>	<u>9</u>

These commissioners also awarded that eight hundred and seventy-three bushels one peck and three pints of wheat would be equal to two hundred and seventy pounds, the sum agreed to be paid to the vicar, in lieu of his vicarial tithes and Easter offerings, which they spread over all the houses and lands in the parish, each township bearing the following proportions,

	<i>Bus.</i>	<i>s.</i>	<i>qts.</i>		<i>£.</i>	<i>s.</i>	<i>d.</i>
Pontefract, - -	401	0	7½	or.	124	10	11
Tanshelf, - -	79	1	2½	or	24	9	2
Carleton, - -	100	0	4½	or	30	17	6
Knottringley, -	186	3	8½	or	57	12	2
East Hardwick, -	51	2	4	or	15	18	2
Spittle Hardwick,	33	0	0	or	10	1	9
Part. of Ferybridge,	17	1	2½	or	4	6	10
Monkeill, - -	3	3	2½	or	1	5	6
	<u>873</u>	<u>1'</u>	<u>2½</u>		<u>£270</u>	<u>0</u>	<u>0</u>

A List of Vicars since the Restoration.

Temp. Instit.	Vicarii.	Patroni.	Vacat.
12 Junii, 1661.	Sam. Drake, Cl.	Rex. C. 2.	p. mort.
22 Jan. 1678.	Francis Drake, A. M.	Idem.	p. mort.
19 Oct. 1719.	John Drake, S. T. B.	Rex. G. 1.	p. mort.
6 Dec, 1742.	Timothy Lee, A. M.	Rex. G. 2.	p. resig.
10 Jan. 1744.	John Sturdy, A. B.	Rex. G. 2.	p. mort.
11 Julii, 1777.	Thomas Heron.	Rex. G. 3.	

Chantry, or Church of St. Thomas.

This church was erected on the very spot where the Earl of Lancaster was beheaded. No part of the building remains. The site may yet however be distinguished in the close, through which a footpath leads to Frystone, on the hill which still retains the name of the saint, and which will most probably convey it down to the latest posterity.

Judging from the site, this church appears to have been of small dimensions; but from the opulence of the family to whose honour it was raised, there can be no doubt of its elegance and interior decorations.

The chantry was founded on the 20th of November, 1361. in memory of Thomas Earl of Lancaster, who had been a considerable benefactor to the priory, by the archbishop of York; who ordained that the prior and convent should find a secular chaplain to celebrate in the chapel, newly erected on the mount of Pontefract, every day for the soul of St. Thomas, which chaplain should in future be presented by the said religious, a month after the first notice of any vacation, and that the said chaplain

should have for his support the sum of one hundred shillings per annum, paid by the said prior quarterly.

And on the 24th May, 1373, John Archbishop of York confirmed the ordination of the chantry, in the chapel upon the hill, against Pontefract, founded by Symon Symeon, by consent of the priory and convent of Pontefract, &c. which said Symon appointed this perpetual chantry, consisting of one monk to celebrate in the said chapel upon the hill, whereon Thomas, late Earl of Lancaster, was beheaded, for his soul and the souls of Elizabeth his wife, and of John and Henry, Dukes of Lancaster, which should be called the chantry of Symon Symeon, and wherein there shall be one monk of the said priory, assigned by the prior and convent, to celebrate masses and divine offices in the same, &c.

For whose sustentation he gave in frank almoigne, to the said priory and convent all his messuages, tenements, land and rents, which he had in the town of Rothwell, viz. one messuage and twenty-four acres of land. And in Oulton one messuage and twenty acres of land.

And in augmentation thereunto, John Duke of Lancaster, &c. gave five messuages and sixteen oxgangs of land in Midelton, juxta Rothwell.

All which was likewise confirmed by the chapter of York, May 25, 1373.

The religious (as the monks were called) do not appear to have been satisfied with the appointment of a secular priest to celebrate in this chapel, nor with the ordination which imposed on them the sum specified for his sup-

port. On the 12th January, 1418, a new ordination was made, that instead of a secular priest a monk of the said monastery should be placed here to celebrate, and who should only receive the sum of forty shillings per annum from the same house*.

A Catalogue of the Chantry Priests.

Temp. Instit.	Cappellani Canit.	Patroni.	Vacat.
7 Dec. 1361. Dns. Joh. Ryther, Cap.		P&CdeP.	p.resig.
13 Mar. 1367. Dns. Joh. Thorparch, Pr.		Idem.	
1 Maii, 1381. Dns. Tho. Spellar de Acom Cap.		Idem.	p.mort.
6 Julii, 1409. Dns. Will. Sunning, Pr.		Idem.	p.resig.
16 Maii, 1412. Dns. Rob. Killeston.		Idem.	

St. Nicholas' Hospital.

This hospital existed before the conquest, but by whom built or endowed does not appear†.

Robert de Lacy, or, as he is also called, Robert de Pontefract, was a considerable benefactor to the hospital, in the time of Henry I. and has by some writers been considered the founder of it; but it is clear that it was built before this period, as the Cluniac monks, who were brought here in the preceeding reign, resided in it till their own house was fit for their reception. He gave to the monks the warden-ship of this hospital.

Henry de Lacy, son of Robert, confirmed the grant of the hospital to the priory, for the use of the poor; and granted to the monk, who should have the custody of it, one mark of silver, twelve hopes of bread corn, and twenty-four of oats, on the feast of St. Martin, yearly.

* TORRE'S MSS. Collect.

† LELAND'S Itin.

In the eighth of Edward I. the king granted free warren to Robert Woodhouse, the keeper of this hospital, in certain lands within the territory of Castleford, which privilege was afterwards given to the canons of Nostall.

In the thirtieth of Edward III. Henry Duke of Lancaster granted the gift of a certain livery to the two recluses in the house of St. Helen, in Pontefract, called the Blanch Liveries, which belonged to his donation, as lord of the honour of Pontefract, to be paid every day out of this hospital, for the finding of a priest to celebrate divine service in the chapel of St. Helen for ever*.

In the eighteenth of Henry VI. 1438, the king, by letters patent which were confirmed by the whole of the parliament, gave this hospital to the prior of Nostall, with the advowson and all the estates thereto belonging, amounting to ninety-seven pounds thirteen shillings and ten pence per annum, to be converted to their own use, the canons paying out of the profits thereof, to the king and his heirs, as Dukes of Lancaster, twenty marks per annum. They maintained here till the dissolution a chaplain and thirteen

* DUGG. BAR. It appears from what Dugdale has related, that the house dedicated to St. Helen was only the habitation of two recluses. Tradition has not even conveyed the name of this house, much less the particular spot where it stood, down to posterity. Two closes, in the commission of enquiry respecting the tithes belonging to the deanry, made in the reign of Henry VIII. are called St. Helen's Flats, and appear, from the boundaries specified, to join the township of Darrington. Was the habitation of these recluses situated here? This is not improbable, and will account for the name imposed on these flats.

poor people. Their revenue is stated at that time to be the same as above mentioned.

A Catalogue of the Wardens of this Hospital.

Temp. Instit.	Magri. Hosp.	Patroni.	Vacat.
	Dns. Tho. Tawton.	P.&C.deR.	p.sport.
10 Maii, 1435.	Dns. Will. Bothe, Cl.	Rex. H. 4.	
	Dns. Tho. Toveton.		
	M. Will. Bothe		

After the dissolution of the religious houses by King Henry VIII. this place seems to have been entirely neglected, and its purposes and institution much perverted and abused, which caused the corporation to endeavour to obtain powers for its better government and regulation, and in the charter granted by King James, in the year 1605, there is a clause for vesting it in the corporation*.

By a deed, dated Sep. 19, 1650, made between Thomas Cook and twenty-four other gentlemen, appointed trustees by an act of parliament passed for selling the fee farm rents belonging to the commonwealth of England, formerly payable to the crown of England, duchy of Lancaster and duchy of Cornwall, or any five or more of them, on the one part, and Matthew Frank, Robert Frank, John Scurr and others, comburgesses of the borough of Pontefract, on the other part. In consideration of eight hundred and twelve pounds seventeen shillings and threepence halfpenny paid to the said trustees, by the said comburgesses, the said trustees granted several sums of money to be paid yearly for ever, to such persons as were

* See Charter.

therein named, out of divers fee farm rents, payable for divers houses and lands, in Winterset, Crofton, and West Hardwick; and all that tenement called Saintingley Grange, &c. and all other lands, tenements, meadow-fields, and pastures belonging or appertaining to the late monastery of St. Oswald, at Nostel, &c. Also all the rectory of Clifton, with all the tithes of hay, grain, pullets, eggs, hens, and ducks in Clifton aforesaid. Also all the tithe of grain of East Hardwick Roods, being a parcel of the rectory of Pontefract, &c. viz. (amongst others)

	£.	s.	d.
To the curate of this hospital, - -	5	0	0
To eleven poor people £1.6s. 8d. a year,	14	13	4
To two servants to attend the poor people,	4	0	0

Mr. Edward Holcots gave the annual sum of twenty shillings, to be paid out of the rents and profits of a close in Baillygate, late Mr. Richard Saltonstalls; this twenty shillings is paid every old Christmas day.

The following lands also belong to this hospital.

Eight half acres of land lying in Ferrybridge Field, with a stone at the end of each marked N. H. now rented by Mr. Peter Dunhill.

A garden at the back of this hospital, and two other parcels of land lying east of the brewery, near the castle, late in the occupation of William Needham.

December, 29, 1671, Mr. Nicholas Stables, by his will, gave to the poor of this hospital thirty shillings yearly, to be paid out of the tithes of Blind Hardwick, on every Christmas-

ever for ever; and on the 11th Feb. 1704, Mr. William Stables, by his will also, gave a farther sum of twenty shillings out of the above tithes.

April 4, 1748, Mr. William Stables, having sold the said tithes to Lord Gallway free from the above incumbrances, he by deed in lieu of and in full satisfaction for the said fifty shillings, granted and conveyed to the mayor, aldermen, and burgesses, and their successors, a yearly rent of fifty shillings, issuing and payable out of certain closes, called Baghill Closes, in Pontefract, free from all Deductions whatsoever, in trust nevertheless for the poor of St. Nicholas' hospital, to be paid yearly at Christmas, with power to distrain on nonpayment.

Also a reserved rent of fifteen shillings per annum, paid by the vicar out of the rents and profits of a close at Darrington, exchanged with the Reverend Mr. Drake for a house near St. Giles' church, now pulled down.

June 8, 1673. Mr. Thomas Sayle, of Pontefract, chandler, by his will gave one hundred pounds towards rebuilding and reedifying this hospital, which was done soon after.

Lazar House.

In the fourteenth of Edward I. 1286, Henry de Lacy built a Lazar House here, and dedicated it to St. Mary Magdalene. The order of St Lazarus, of Jerusalem, seems to have been founded for the relief and support of lepers and impotent persons of the military order.

Archbishop John Romain granted an indulgence to all those who contributed to the relief of the lepers therein.

It appears probable that the hospital called Frank's Hospital is either the Lazar House, or has been built on the site of it. The figure of a knight, cut in stone, in the wall, nearly as big as life, seems to justify this conclusion. This figure is now much defaced; the arms have been broken off and the head nearly destroyed.

Knolles', or Trinity, Hospital and College.

This hospital and college was founded in the reign of the unfortunate Richard II. by Sir Robert Knolles, a gentleman as illustrious for his valour and military achievements, as for his liberality to the indigent, and his regard to the claims of piety*. According to Leland, he had

* This family is of Saxon origin, and the name derived from the term Knoll, a hill, where some of the race resided. In the reign of Edward III. Robert Knolles was considered as one of the best generals of the age, and the honour and glory of the country. In 1350, he was sent into France with an army, where he drove the French before him like sheep, overwhelming their towns and cities in such numbers, that years after the sharp points, and gable ends of overthrown houses, cloven asunder with instruments of war, were commonly called Knolles' mitres. The French styled him *Le véritable Demon de Guerre*, or the true thunderbolt of war. He was made Senescal of Guienne, by Edward, and commissioned to assist John de Montfort, in the duchy of Bretagne, in which service he was completely successful: and was appointed Lieutenant of Bretagne, and rewarded with a fine estate in the duchy by Mont'ort. He assisted the Black Prince in the conquest of Aquitain. He afterwards joined the Prince of Angaulesme, and drove the French to the gates of Paris.

In the midst of all his successes, a combination of young noblemen, who envied his renown and talents, was formed against him; and all the arts of intrigue, calumny and misrepresentation, were made use of to withdraw the favour of the prince from him. False accusations were brought against him

intended to erect it on his manor of Scoulthorp, three miles from Walsingham, but influenced by the desire of his lady, he changed his intention, and to do her the greater honour, erected it on the very spot where she was born.

Whatever might be the respect and honour Sir Robert intended to confer on his lady by this act of piety, the above mentioned historian has left a stain on her memory, by describing her as a woman of mean birth, of loose morals, of unchaste and dissolute conduct. Meanness of birth is not imputable to any one as a crime; nor can descent from respectable ancestors be considered as a virtue; it can only properly be accounted a blessing. A lady destitute of the virtues of modesty, chastity and rectitude, justly forfeits the respect due to her sex; and however elevated her rank, her vices will cover her name with reproach. Let us hope the historian has 'retailed scandal, and that the meanness of Lady Robert Knolles' birth, gave occasion to a censorious world to charge her with crimes of which she never was guilty.

The charter of the foundation of this house for embezzling the public property, and which, by the inquiry instituted, tended more to his fame and his honour, than to his disgrace.

After being covered with glory as a conqueror, he retired to his family residence, and on the accession of Richard II. he was honoured with the order of the garter. In the tumult excited by Watt Tyler, which threatened to subvert the government, Sir Robert was one of those, whose prudence, courage, and good conduct, contributed essentially to preserve the king, and to subdue and disperse the enraged populace. The city of London enfranchised him a member thereof, in expression of their gratitude for the service he had rendered on this occasion.

KIMBER'S Buriallage.

was granted on the 30th April, 1385. It is called a chantry or college, and intended to contain seven chaplains or fellows, one of which to be appointed warden. Also an almshouse or hospital adjoining, dedicated to the Holy Trinity and Blessed Virgin Mary, "for two clerks and thirteen poor persons, so made by mischance or scarcity, and two servitors to attend them."

In consequence of the charter and licence of King Richard II. Sir Robert Knolles and Constance his wife, obtained a like licence of John, King of Castile, and Duke of Lancaster, Lord of the Soil, to purchase of Thomas Shirwood one messuage in Pontefract, on the site of which this collegiate house was built, and dedicated to the honour of the Holy Trinity.

The founders liberally endowed the college and the hospital. They granted to the custos, master, or warden, the sum of twenty marks per annum, ten to each of the seven chaplains, and five to each of the clerks, for their maintenance and support. The sum of thirty-four pounds four shillings and fourpence halfpenny was allotted to the thirteen poor persons, and the two servitors in the hospital; and it was ordered that every one should receive out of this sum *three halfpence per day*, for his support. They also appointed fourpence to be paid to each of the said poor, and their servitors, on each of the ten principal feasts.—The feasts of the Holy Trinity, Christmas, Easter, Pentecost, All-Saints, and the five feasts of the Blessed Virgin.

The founders, not satisfied with providing for the comfortable subsistence of the poor, granted

ten marks per annum, for their clothing and other necessities, to be equally divided among them. They allowed to the two servants, for their attendance, the sum of twenty-five shillings and eightpence per annum.

They assigned for the endowment of this house, after the decease of either of the said founders, one hundred and two pounds, ten shillings, issuing out of their lands and tenements in London; appointing the residue of the value of these lands and tenements, to be yearly appropriated to the use of this house, in repairs and buildings.

They also ordained, that the master, chaplains, clerks, the poor and their servants should receive a pittance of six shillings and eightpence, on the day of either of their anniversaries.

Also they willed that the prior and canons of Nostal, and their successors should enjoy the right of presentation to the wardenship of this college; and that they should present on every vacation a fit chaplain within the space of fifteen days.

It was likewise appointed that the master should have a seal appropriated to his office, whereon should be engraven a rose, and the image of the Holy Trinity. This ordination was confirmed by Richard, Archbishop of York, on the 5th Oct. 1404.

This college and hospital was built in a style suitable to the purposes for which it was intended. A considerable part of the buildings still remain, and give some faint idea of what it once was. The place now called the galleries was the residence of the master of the college and the six chaplains. Each had his sepa-

rate chamber or cell, where he could retire for the purpose of devotion; and like other religious houses, it is probable there was a common refectory, or dining room, where they all met together.

What are now called the brother and sister houses must have been the hospital, where the poor were provided with every comfort, and the sorrows of old age were alleviated by the kind hand of charity.

The church was on a small scale, but appears to have been a neat, if not an elegant structure. Dedicated to the Holy Trinity, it was esteemed peculiarly sacred; and here the wardens, chaplains, clerks, and poor, united in their daily devotions. What was once hallowed is now become profane; and the place where the sacrifice of the mass was offered, and where the Holy Virgin was worshipped, where the religious, by their interest with heaven, delivered souls from purgatory, is now degraded to a shed for cattle.

At the suppression of religious houses, the revenue of this house, according to Speed, was one hundred and eighty-two pounds thirteen shillings and sevenpence*; and Sancroft, M. S.

* It was endowed by the grant of a manor in Burnham-Overy; the Lordship of Dunton and Doketon, and the advowson of the vicarage; of Hanvilles manor, in Kellestone; of the manor and advowson of the rectory of Sculthorp; of a water-mill and lands in Sheerwood; of the manor of Tatterford, and of lands in Tatterville, all in the county of Norfolk. BLOOMFIELD'S Norfolk.

In London thirty-four shops, in the parish of St. Mary on the hill, belonged also to this hospital, as well as land in Pontefract and Darrington. TAN. N.

In Pontefract six acres of meadow, in Potwells, belonged to this house.

Valor, saith there were at that time a master, six brethren, and a sacrist. Willis asserts, that the master and five fellows enjoyed pensions.

A Catalogue of the Masters of this Hospital.

Temp. Instit.	Custodes Domas.	Patroni.	Vacat.
	Dns. Joh. de Newthorp, alias P.&C.deN.p.resig. Studeman.		
17 Maii, 1410.	Dns. Joh. de Stretton, Pr.	Idem.	p.mort.
18 Junii, 1418.	Dns. Alex. Rawden, Cap.	C.A.p.lap.	p.mort.
18 Dec. 1419.	Dns. Joh. Cudworth.	P.&C.deN.	
10 Mar. 1447.	M. Joh. Lathome,	Idem.	p.resig.
28 Jan. 1467.	Dns. Jac. Clapeham, Cap.	Idem.	p.mort.
17 Junii, 1494.	Dns. Rob. Cooke, Cap.	Idem.	p.mort.
ult. Apr. 1513.	Dns. Tho. Baghill, Pr.	Idem.	p.mort.
4 Jan. 1524.	M. Tho. Huchon, L. B.	Idem.	p.resig.

CHANTRIES.

Besides the master there were six chantries of seven chaplains in this hospital, each presentable by the founder Sir Robert Knolles, and after his decease by the master of the college, for the time being, and brethren thereof.

A Catalogue of the first Chaplains.

Temp. Instit.	Capellani Imi.	Patroni.	Vacat.
20 Aug. 1397.	Dns. Will. Spycer, Cap.	D.R.N.Mil.	p.mort.
20 Mar. 1421.	Dns. Joh. Sadylworth, Pr.	M. & C. D.	
5 Dec. 1419.	Dns. Joh. Wyles, Pr.	Idem.	p.mort.
7 Apr. 1462.	Dns. Ric. Blackburn, Cap.	Idem.	p.mort.
10 Nov. 1467.	Dns. Joh. Botall, Cap.	Idem.	p.mort.
9 Junii, 1486.	Dns. Tho. Baghill, Pr.	Idem.	p.dismiss.
13 Maii, 1513.	Dns. Will. Cubberd, Pr.	Idem.	p.resig.
15 Mar. 1515.	Dns. Jac. Tutyll, Cap.	Idem.	p.resig.
2 Julii, 1517,	Dns. Joh. Parkyn, Cap.		

The Second.

Temp. Instit.	Capellani 2di.	Patroni.	Vacat.
20 Aug. 1397.	Dns. Joh. Parlyngton.	D.R.N.Mil.	
14 Oct. 1423.	Dns. Joh. Pountefreyt, Pr.	M.&C.Col.	
28 Junii, 1464.	Dns. Jac. Clapham, Pr.	Iidem.	p.resig.
18 Feb. 1467.	Dns. Joh. Sekburn, Cap.	Iidem.	p.dismiss.
28 Maii, 1484.	Dns. Robert Cooke, Pr.	Iidem.	p.resig.
27 Julii, 1494.	Dns. Tho. Grone, Cap. M. Tho. Hochon.	Iidem.	p.resig.
13 Jan. 1524.	Dns. Rog. Marshall, Pr.	Iidem.	

The Third.

Temp Instit.	Capellani 3tii.	Patroni.	Vacat.
20 Nov. 1398.	Dns. Alex. Rawden.	R. K. Mil.	p.resig.
28 Junii, 1418.	Dns. Joh. Cudeworth, Pr.	M. & C.	
20 Dec. 1419.	Dns. Joh. White, Pr.	Iidem.	
16 Feb. 1447.	M. Joh. Lathum.	Iidem.	
	Dns. Will. Foster.	Iidem.	p.mort.
20 Jan. 1483.	Dns. Joh. Sokeburn, Cap.	Iidem.	p.resig.
26 Julii, 1481.	Dns. Joh. Burton, Pr.	Iidem.	p.mort.
22 Dec. 1526.	Dns. Walt. Brown, Pr.	Iidem.	p.resig.
19 Maii, 1529.	Dns Edm. Gibson, Pr.	Iidem.	

The Fourth.

Temp. Instit.	Capellani 4ti.	Patroni.	Vacat.
12 Nov. 1392.	Dns. Will. Hall.	D. R. K.	
4 Feb. 1446.	Dns. Joh. Cooke, Pr.	M. & F. & c.	
18 Dec. 1453.	Dns. Robert Falne, Cap.	Iidem.	p.resig.
4 Maii, 1468.	Dns. Joh. Leyes vel Lete, Cap.	Iidem.	p.mort.
16 Oct. 1488.	Dns. Joh. Blake, Cap.	Col.p.Lap.	
	Dns. Robert Moxon.	M.&C.&c.p.mort.	
2 Oct. 1505.	Dns. Tho. Howthorn, Pr.	Iidem.	

The Fifth.

Temp. Instit.	Capellani 5ti.	Patroni.	Vacat.
13 Nov. 1398.	Dns. Robert Freston, Cap.	D.R.K.Mil.	
29 Junii. 1444.	Dns. Robert Benet, Cap.	M. & F. & c.	p.mort.
3 Junii, 1479.	Dns. Joh. Carver, Cap.	Iidem.	p.mort.
3 Jan. 1511.	Dns. Rad. Dicson, Cap.	Iidem.	

The Sixth.

Temp. Instit.	Capellani &c.	Patron.	Vacat.
8 Maii, 1403.	Dns. Robert de Hill, Pr.	D. R. K. Mil.	
2 Jan. 1448.	Dns. Tho. Melsamby, Cap.	M. & F. &c.	
	Dns. Joh. Lile.	Idem.	p. resig.
4 Mar. 1468.	Dns. Joh. Sharp, Pr.	Idem.	p. mort.
3 Mar. 1228.	Dns. Joh. Cowkepage, Pr.	Idem.	p. resig.
9 Apr. 1537.	Dns. Joh. Dykson, Cap.	Idem.	

October 23, 1563, Queen Elizabeth, in the sixth year of her reign, by grant under seal of her duchy of Lancaster, after reciting that her commissioners appointed for the continuance of grammar schools, fresh appeals and other things, had appointed to continue one almshouse, called Knolles' Almshouse, in which were maintained fifteen aged people, whereof two of the said fifteen were servants to the rest, and that every one of the said fifteen should have yearly two pounds thirteen shillings and fourpence, did authorize the mayor and comburgesses, or chief burgesses, for the time being, from time to time, as the rooms of the alms people should happen to be vacant, to place other aged, impotent and needy meet persons in the same rooms, according to the ancient foundation thereof, as should be thought most expedient.

May 20, 1574, Mr. John Mercer, by his will, gave to this hospital half the rents arising from a house, orchard, garden, edifices and buildings at Whitechapel, in London; and the other half was given to the poor of Whitechapel. The churchwardens and overseers of Whitechapel are appointed trustees for the same. The money received is divided equally amongst the poor people in the said hospital.

By the deed mentioned under St. Nicholas' hospital, dated Sept. 19, 1650, is also granted the yearly sum of forty-one pounds five shillings, which is paid to the poor people in this hospital.

This sum, which has since been advanced to the annual sum of sixty pounds, is usually paid by the king's receiver to the mayor, for the time being, at Michaelmas, who gives a treat to him and such of the aldermen, &c. as he thinks proper, at which entertainment are provided some fine red apples and nuts; as it has been an ancient custom to present some of them to the duchy of Lancaster, this has given rise to an erroneous idea that the corporation hold their charter by this service.

The mayor immediately distributes this sum of sixty pounds, in equal shares, amongst the poor people in the hospital.

This hospital will, in the course of a few years, receive an addition to its revenues. John Whiteman, brickmaker, has bequeathed the rents of certain houses, and the interests of certain monies to this hospital for ever, after the decease of his widow, brother and sister; who are to enjoy the profits thereof, during the term of their natural lives. The following is the clause of his will, in which this bequest is made,

"And lastly at my said wife's death, I give and bequeath all rents and interests, to be paid in half-yearly payments by my executors, or their heirs, as before named, to the Trinity Hospital in Pontefract, to be distributed to the brothers and sisters of the said hospital, share and share alike for ever, subject only to the useful and necessary repairs of my aforesaid houses."

From the provisions of the will of the said John Whiteman*, it appears that on the demise of his widow, the rents are to be appropriated to the use of the poor of the said hospital, paying out thereof the sum of two shillings per week to his sister, and the like sum to his brother, if living.

The poor of this hospital will, from this bequest, gain a clear income of twenty pounds and upwards per annum; a sum which, added to their other resources, will contribute much to alleviated the anxiety of old age, and to render the winter of life more serene and peaceful.

Bead-House Hospital.

This hospital is situated at the bottom of Micklegate, and has eight rooms, in which are placed sixteen poor people.

There is a small parcel of ground at the back of this hospital belonging thereto.

Also Mrs. Favel gave a garden at the bottom of Slutwell Lane, called Favel Garden, which is now part of Mr. Seaton's grounds, and for which he pays the poor of this hospital four pounds per annum. This payment is paid to the vicar, who distributes the same amongst the widows, who are exclusively entitled thereto.

* John Whiteman was a native of Pontefract, and had by diligence and labour acquired the property specified. Having no children, nor any relatives likely to preserve what he had industriously acquired, he was induced to leave all to the hospital, in which two of his uncles and his brother had found an assylum; and he hoped should any of his remote relations be reduced to want, the town would provide for them in the same house.

Thwaites' Hospital, in Newgate.

May 20, 1620, Mr. Richard Thwaites, by his will, gave two cottages, divided into four rooms, and also two gardens threeto belonging and adjoining, for an hospital for four ancient poor women, who shall be single women, to dwell severally in the said four rooms, and have equal shares and profits of the two gardens. Also an annual rent, to be paid by his heirs, out of the rents and profits of a close, called Tanshelf Well Close, adjoining to Pontefract Park, of twelve horse loads of coals to each poor woman in the said hospital, for their fire, yearly; and also forty shillings a year, to be paid quarterly, on the feast of St. John the Baptist, St. Michael the archangel, St. Thomas the apostle, and the annunciation of the blessed Virgin Mary, to them and their successors for ever, towards their relief and maintenance. Three of the said poor people to be placed in the said rooms to be taken out of the town of Pontefract, and the fourth of them out of Tanshelf, at all times for ever. And in case the said coals should not be brought regularly to the poor people by his heirs, or the purchaser of his copyhold estate, then the trustees therein after mentioned should receive three pounds every year, out of the rents and profits of the said Tanshelf Well Close, and therewith procure the said coals for them for ever. The trustees appointed by the said will were his heirs and their successors, so long as there should be any of them remaining. And in case of a failure therein, then the mayor and vicar of Pontefract, for the time being, and

Henry Frank, his brother in law, and two senior aldermen, during the life of the said Henry Frank; and the three senior aldermen, after his death, to have the sole direction of the said hospital.

It was decreed by the commissioners of pious uses, by an inquisition taken at Snaith, April 10, 1674, that Mr. Thomas Ward, the then possessor of Tanshelf Well Close, his heirs and assigns, and the owner and occupier of the said close, shall for ever thereafter pay and stand charged with the payment of three pounds yearly, to the poor women of the said hospital; and the mayor and vicar of Pontefract, for the time being, and three senior aldermen, or the greater number of them, be perpetual trustees for the said hospital.

Frank's Hospital.

This hospital is situated at the bottom of Micklegate, and formerly contained only one apartment, in which were placed two poor women.

It is supposed to have been left by Mr. Matthew Frank, formerly an alderman of this borough, and the donations of it are—One garth at the back thereof; a liquorice garden, near St. Nicholas' hospital, called the Bull Garth; and an house at the bottom of Micklegate.

There is also another hospital adjoining to the above, supposed to have been built by Mr. Robert Frank, upon part of the ground left by Mr. Matthew Frank, above mentioned, and is endowed as follows.

November 16, 1629, By a deed made between Leonard Ward, of Pontefract, on the one part, and Robert Moor, gentleman, then mayor, Matthew Kay, of Beghall, Richard Frank, of Campsall, gentlemen, and Dorothy Frank, of Pontefract, widow, on the other part, reciting that Mr. John Frank, alderman, deceased, by his last will, in writing, bearing date January 16, 1618, did give to the poor of Pontefract fifty pounds, to be paid by his son, Mr. Rich. Frank, within two years after his death, out of lands in Fenwick and Norton, to the churchwardens of the town of Pontefract, for the time being, to be bestowed in lands or otherwise, to and for the use aforesaid, by the mayor of Pontefract, for the time being, and by Matthew Kay, of Brotherton, and by Henry Frank, his brother, and Richard Frank, his son, or by so many of them as should be then living. And his will was that the said fifty pounds, or lands and profits thereof, should yearly remain to the use aforesaid for ever, to be distributed by the consent of the said mayor, and his heirs. And further reciting that the said Richard Frank had already paid the said fifty pounds into the hands of the said Dorothy, his mother, by the consent of the said churchwardens; and that she, of her own free will, had given ten pounds more to the use aforesaid, which said sums made together sixty; with which the said mayor, Mr. Kay, and Richard Frank, with the assistance of the said Dorothy, had agreed with the said Leonard Ward for the purchase of the lands thereafter mentioned. The said Leonard Ward, in consideration of the said sixty pounds,

did convey one acre of arable land at Beckhill, and two acres of inclosed land, called Long Close, in St. Thomas' Hill Field, abutting upon Monkhill Lane, to the only use and behoof of the said Robert Moore, Matthew Kay, and Richard Frank, and their heirs for ever, upon trust, that they and the survivor or survivors of them should stand and be seised as feoffees in trust, to the only proper use of the poor people in Pontefract, for the time being, for ever, to be distributed by the mayor, for the time being, and by the heirs of the said John Frank.

Although the above donation is to the poor of the town generally, the rents of the land have been distributed to the poor people in this hospital, out of respect to the donor.

Robert Frank, Esq. by his will, dated Dec. 26, 1737, devises to his daughter Margaret and her heirs, the above mentioned cottage or tenement, which he had lately built in Micklegate, in Pontefract, for an almshouse, wherein he had placed or put Susanna Firth and Ann Porter, two poor widows, for their lives. And also all his, the said testator's trust, estate and interest of and in the closes of land above mentioned, to have been purchased with the said sixty pounds*; for the use, and in trust, and to the intent that the said Margaret Frank, her heirs and assigns, should pay and distribute the rents, issues, and profits thereof, to the said Susanna Firth and Ann Porter, for their lives; and after their decease to such widows as should thereafter be placed in the said almshouse, in the room and

* By what right had he the disposal of this land. See the before mentioned deed, Nov. 16, 1629.

place of her or them so dying, for ever, such rents to be paid halfyearly, at Whitsuntide and Martinmas. The electing, placing, and displacing of the said widows for misdemeanors, to be in the said Margaret Frank, her heirs and assigns, the mayor and three senior aldermen, or comburgesses, of Pontefract, resident in the said town, for the time being, and their successors, or the major part of them.

The testator also appoints the same persons and the vicar of Pontefract, and his successors, to elect and place the poor widows, upon vacancies, into the almshouse in Micklegate aforesaid, founded by his great grandfather or great uncle, or one of them, as also in the almshouses in Naut Market, in Pontefract, founded by Mr. Cowper.

And he also declares that if the rents and profits of his close, called Rancal Pits, should be let for four pounds a year, then he charges the same with the payment of ten shillings a year, to the said poor widows, in the said almshouse for ever, to be paid by his said daughter, Margaret Frank, her heirs and assigns, out of the rents, issues, and profits of the same close.

Cowper's, or Butl's, Hospital.

Mr. Robert Cowper, of Darrington, by his will, dated May 20, 1668, gave two cottages or tenements, in Pontefract, for the use of four poor widows of the town of Pontefract, and appointed Samuel Drake, D. D. John Ramsden, John Frank, and Robert Tatham, gentlemen, feoffees, to elect poor widows, of the town of Pontefract,

when and as often as vacancies should happen in either of the said two tenements; and did likewise desire and appoint that when any of the said feoffees die, that the surviving number shall have power to elect another to act in his stead.

And he also gave unto the said four poor widows for ever, twenty shillings each yearly, to be paid by his heirs, out of his close at Purston Jacklin, for the repairs of the said cottages, and their relief for ever.

N. B. This twenty shillings each to the above poor widows, is now paid out of the rents and profits of a close, in Bailygate, in lieu of the above lands in Purston, every Christmas-Eve.

Mr. Robert Frank, son of John Frank, by his will*, appointed the following persons trustees for the above hospital, (but query by what power)—viz. Mrs. Margaret Frank, his daughter, the mayor, for the time being, the three senior aldermen, and the vicar, for the time being, of Pontefract.

This hospital was situated at a place formerly called Boner Hill, in the middle of the Beast Fair, where the Corn Market is now held, but being in a very ruinous state, as well as inconvenient in point of situation, in the year 1765 it was pulled down, and a new hospital erected at the Butts, at the expence of the town, in lieu of the old one, which cost the sum of ninety pounds.

Perfect's Hospital.

This hospital is situated at the bottom of Micklegate, and was built in the year 1667,

* See the clause of his will under Frank's Hospital.

at the joint expence of the town and the corporation.

It is called Perfects Hospital from the endowment thereof by the late Alderman Wm. Perfect, who by a deed gave to the corporation several houses and gardens thereto, situate near to the said hospital, in trust for the poor persons in the same hospital; who were to be three poor ancient decayed housekeepers belonging to the town of Pontefract, and their wives.

The placing and displacing the said poor persons in the said hospital was vested in the said William Perfect, during his life, and after his death in the mayor and aldermen of Pontefract, for the time being, for ever, who were made perpetual trustees for the same.

It is the custom when any of the poor people in this hospital die, to remove the survivor into Knolles', or Trinity, Hospital, upon the first vacancy that shall happen there; in order to make room here for another poor married couple, and so from time to time, in order that it may be always enjoyed by three poor ancient decayed housekeepers and their wives.

Dr. Watkinson's Hospital,

The late Edward Watkinson, of Ackworth, M. D. by his will, dated April 1765, gave (after payment of some small legacies) all the residue of his personal estate, after the death of his wife, unto the rector of Ackworth, the rector of Hemsworth, and the vicar of Pontefract, for the time being; the mayor, recorder, and two senior aldermen, of the borough of Pontefract,

for the time being, upon trust, that they and his friend Mr. Alderman Samuel Saltonstall should put the same out at interest, and pay and apply the produce thereof (after payment of some annuities) for the maintenance, support and comfortable living and subsistence of nine poor unmarried persons, of the protestant religion, for ever; to be nominated, chosen and elected as follows, viz. the said trustees to nominate and chuse two poor men and two poor women, who should live in Ackworth, and two poor men and two poor women, who should live in Pontefract, and also one other women, who should live in either of the said townships, to be the servant of the said eight poor persons, and to wait and attend upon them as such; and which said eight poor persons, and their servant, should from time to time have the said interest, produce and dividends, paid equally amongst them, share and share alike.

And the said testator wills and declares that no married person shall be capable of being elected one of the said nine persons, and that if any of them do afterwards marry, that such person shall cease to have any share in the said produce and dividends, and be displaced from having any benefits or advantage.

And he also gives the said trustees power to displace any of the said persons guilty of any immorality, misconduct or bad behaviour. And also to fill up vacancies, so as there shall always be therein two poor men and two poor women, belonging to each of the said townships of Ackworth and Pontefract, and a maid servant.

And he gives the said trustees a discretionary power as to the best method of perpetuating and performing the trusts of his will, and all matters and things relating thereto.

On Feb. 9, 1778, the trustees held their first meeting, to put the said will in execution, and soon afterwards purchased a piece of ground in Northgate, and built a handsome house thereon, under the direction of the said Mr. Saltonstall.

On Oct. 25, 1779, the said hospital being ready for the reception of its intended inhabitants, the trustees nominated eight poor persons and a servant to dwell therein, according to the said will, and ordered them to be paid ten shillings each every calendar month.

The vacancies arising by death or otherwise have been regularly filled up from time to time, and the trustees have laid out the testator's estate in the purchase of South Sea annuities, the dividends of which are paid monthly to the poor people of this hospital, now amounting to fifteen shillings each person; and the trustees take care to keep their respective apartments clean and in good repair, rendering this place a desirable and comfortable retreat to old age and infirmity.

The King's Free Grammar School.

Few of our kings deserve so much the grateful remembrance of the nation as young Edward VI. If the importance of a reign be estimated from the general good that results from it, his reign, though short, is one of the most important in the annals of Britain. It is true

it was not distinguished by splendid conquests; by the enlargement of the national territory, at the expence of thousands of its inhabitants; but it is rendered remarkable by the progress of the reformation; by the piety and benevolence uniformly displayed; by the wisdom of those establishments, which yet continue to instruct and bless the rising generation.

His father, Harry, capricious and inconstant, acted rather from the impulse of passion, than from the cool and deliberate dictates of wisdom; and though he threw off the yoke of the pope's supremacy, he assumed it himself, and unmercifully shed the blood of those subjects who ventured in the least to deviate from the creed which he prescribed. The spoils of the Catholic Church filled his coffers; and the patronage he enjoyed; as head of the church he established, gave him additional power, and every thing in church and state was subject to his despotic will. Edward, in every thing the reverse of his father, temperate, chaste, humble and pious, had the wisdom to follow the advice of his counsellors, and the inclination to execute the plans which they formed. Hence arose those excellent institutions, Free Grammar Schools; and few were the towns of any importance, but what had in this reign such schools erected and endowed. One was erected here, in the second year of his reign, and various others within the Honour of Pontefract.

The endowment of this school was small; the sum of fifty-nine shillings only being annually allowed to the schoolmaster. It continued without any alteration till the fifth of Elizabeth, when com-

plaint was made of the inattention and negligence of the schoolmaster, to the Chancellor of the Dutchy, and in consequence the right to present a suitable master was vested in the mayor and aldermen. The following is an abstract of the grant,

“ And forasmuch as we are credibly informed that the schoolmaster, which now serveth in the same, does not his endeavour and diligence in the due education and bringing up of young children there, according to the trust committed to him. We therefore considering the same, minding reformation thereof, and also good education and bringing up of young children in virtue and godly learning. And having a trust and confidence in our mayor and comburgesses, or chief burgesses, of the said town, now for the time being, and which hereafter shall be. Do by these presents for us, our heirs and successors, by the advice and consent of our chancellor and council of our said dutchy, authorize our said mayor and comburgesses of our said town, for the time being, and which hereafter shall be, that they from time to time from henceforth shall by their direction and wisdom appoint such a sober, discreet, learned, able person to serve and be a schoolmaster in the said town, as to them shall seem good and best for the education and bringing up of young children there from time to time, in virtue and godly learning and education, as they will answer for him from time to time at their peril.”

No addition was made to the endowment till the twenty-fifth of Elizabeth, when on the petition of Boniface Savage and others, several

small endowments of schools, which had been wholly neglected, were appropriated to this, that a master every way qualified to teach and instruct the rising generation might be obtained. This grant is too curious to be omitted, as it contains some interesting particulars respecting the town and castle. After reciting what had been done by Edward, and noticing the small salary allowed to the master, it goes on,

“ Whereupon the chancellor and council of this court persuading themselves that if the small stipends were collected and put together, the same would maintain a meet, learned and sufficient schoolmaster and usher, which were not only a matter very laudable, but also a great benefit to the country, and weighing and considering how the Queen's most excellent Majesty is and always hath been, of her princely disposition naturally inclined, and ready to nurture and further the education of youth in learning, virtue and godly life. And for that the said borough and town of Pontefract, is *one of the greatest and most populous boroughs of her Majesty's said dutchy in those parts, in which town there is the most stately castle and meetest house for her Majesty, her heirs and successors, to resort unto in those northern parts of England, and yet the said town of late is very poor and most decayed, being the most meet and convenient place in those parts to have and maintain a Free Grammar School, which shall greatly tend to the honour and dignity of her Majesty. And that hereby her Majesty's lenity there shall in respect thereof daily have most occasion to remember her highness's godly,*

charitable, virtuous and princely acts, and be daily moved up and stirred continually to pray for the long and happy continuance of her most royal person. In consideration whereof the chancellor and council of this honourable court, having well and deliberately considered of the premises, and thinking it very meet and convenient as well for the maintenance and augmentation of the said Free Grammar School in Pontefract, as for the causes and considerations aforesaid, at the humble suit of Boniface Savage and others, the inhabitants of the said town of Pontefract. And forasmuch as the said Boniface Savage, as well for himself as in the name of all others the inhabitants of Pontefract aforesaid, hath undertaken and faithfully promised unto the said chancellor and council at his or their own cost to make and furnish a fair school-house within the said town of Pontefract, which shall be a sufficient, meet and able place for that purpose; and the said school-house so furnished from time to time to maintain, repair and continue for ever; Do in this present term of Easter in the five and twentieth year of her Majesty's reign, order and decree in manner and form following, first that there shall be a Free Grammar School continued within the said town of Pontefract, and a godly learned school-master and usher to be chosen from time to time to teach and instruct the youth there, and that the same Grammar School for the better memorial of her Majesty's most gracious, virtuous and princely disposition for the careful bringing up of youth in learning, piety and godly life, shall be called by the name of The

most excellent Princess Queen Elizabeth's Free School in Pontefract. And that the said yearly stipend and pension, amounting to the sum of twenty-five pounds seven shillings and twopence of lawful money of England, shall hereafter during the continuance of the said Grammar School be yearly paid and allowed to the master and usher of the said school and their successors there for the time being, in manner and form as hereafter by this present decree is set down and declared. Also that The Right Honourable Sir Ralph Sadler, Knight, now chancellor and all others which hereafter shall be chancellors of the said dutchy shall from time to time nominate and appoint one sufficient meet and able man to be schoolmaster there, during the pleasure of the Queen's Majesty her heirs and successors, who for his stipend and wages shall have twenty pounds parcel of the said twenty-five pounds seven shillings and twopence, to be paid unto the said schoolmaster by the hands of the particular receiver of the Honour of Pontefract for the time being, at two usual terms in the year, that is to say, at the feast of St. Michael the archangel and the annunciation of our blessed Virgin Mary, or within fifty days next after either of the said feasts by even portions, and that the residue of the said sum of twenty-five pounds seven shillings and twopence be paid in manner and form aforesaid to one meet and sufficient man to be usher there, to be from time to time elected and chosen by the mayor and brethren of the town of Pontefract, with the advice and consent of the schoolmaster there for the time being. And that this

order and decree shall be a sufficient warrant and discharge as well to the said particular receiver of our said Sovereign Lady the Queen's Majesty her heirs and successors of her and their possessions, parcel of her Highnesses dutchy of Lancaster in the said county of York for the time being, both for the true payment yearly to the said schoolmaster of and in the said town of Pontefract and his and their successors for the time being, being schoolmaster of the said Grammar School for the said sum of twenty-pounds, during so long time as he or they or any of them shall continue schoolmaster or schoolmasters of the said Grammar School. And also to the usher there for the time being for the true payment yearly of the said sum of five pounds seven shillings and twopence, during so long a time as the said usher shall continue there. And also to the auditor of the possessions of the dutchy in the north parts for the time being, to make unto the receiver due and reasonable allowance yearly of and for the payment of the said sums or yearly pensions accordingly. Provided always that if at any time hereafter it shall be thought good to her Majesty her heirs and successors to determine afterwards to withdraw or diminish this her Majesty's most gracious gift, or that the said mayor or brethren shall be negligent or remiss in the well repairing or maintenaunce of the said school-house, or in furnishing of the same as is before premised and appointed, that then it shall and may be lawful for the chancellor and council of the said dutchy for the time being either to see the same redressed and reformed,

or else to call in and make frustrate this present order and decree, any thing herein contained or specified to the contrary notwithstanding. We have given and specified by these presents the form of the aforesaid decree and order, at the request of the aforesaid Boniface Savage and other inhabitants of Pontefract. In witness of which we have made these our letters patent. Given at our palace at Westminster, under the seal of our dutchy of Lancaster, the last day of April in the twenty-fifth year of our reign."

From this period the school continued to flourish, or otherwise, according to the talents and industry, or inattention and neglect, of the various masters appointed. The above grant or charter took from the mayor and comburgeesses the right of appointing the schoolmaster, and such right remained with the chancellor of the dutchy. The schoolmaster was only to be properly qualified for his office; nor was he in the least bound or restricted to any particular branches of instruction.

In the lapse of a century the school again fell into decay, and for some years no schoolmaster applied for the appointment. The inhabitants, desirous to restore this foundation, and to render it permanently useful, again petitioned the dutchy court, and engaged to rebuild the school and to purchase or erect a house for the residence of the schoolmaster. The petition of the inhabitants was graciously received, and in the thirty-second year of his present Majesty, the school was refounded; and a charter was granted containing rules and regulations for its better government in future.

By this charter the mayor, recorder, aldermen, and the vicar are appointed curators; and their office is to superintend the said school, and to see that the rules and regulations, annexed to the said charter are strictly observed.

The appointment of the schoolmaster is reserved to the chancellor of the dutchy; but as a necessary qualification for such appointment, he must have taken the state and degree of master of arts or bachelor of laws in one of the universities*.

The number of boys on this foundation is fourteen, one of which is to be taken from the Charity School, and educated free from all expence; the remainder are to pay one guinea per annum for being taught the Greek and Latin languages; and such as learn writing and arithmetic are to pay one guinea more. The admission of such boys is made by ballot among the curators, and the boy that has a majority is elected. But no boy can be chosen unless the parents are legally settled in the townships of Pontefract or Tanshelf.

The schoolmaster is not permitted to teach

* This clause of the charter, by limiting the objects of education, must uniformly operate against the prosperity of the institution. Those clergymen who have been trained up in the habit of teaching, and to whom the instruction of youth has become the chief object of attention, are generally much better qualified for such an office than graduates in the university. Should such graduates have devoted their time to the study of the classics, and should they have attained general knowledge, their inexperience in the art of teaching will render it an irksome task, in which they engage with reluctance, and from which they depart with pleasure. Whoever framed this charter, if they had consulted the interest of the town, should have appointed any clergyman, properly qualified, eligible to the office.

the English Grammar, Writing and Arithmetic, separate from the learned languages*; but is obliged to take any other boys, besides those on the foundation, belonging to the towns of Pontefract and Tanshelf, for the additional sum of one guinea.

All the children are to be instructed in the Protestant religion, according to the rites and ceremonies of the church of England.

John Frieston†, of Altofts, in this county, gave some lands in this town to the University College, Oxford, for the maintenance of one fellow or exhibitioner, to receive out of them ten pounds a year; besides the use of a chamber and exemptions from all decrements. He built and endowed a Free School at Normanton. He left five hundred pounds to purchase twenty five pounds a year, for the maintenance of one fellow and two scholars in Emanuel's College, Cambridge; the said fellow and scholars to be sent out of Normanton, and for want of such there, then out of the Free Schools of Ponte-

* This rule narrows and confines the advantages of this school. Many in the town might wish to have their children taught English, writing and arithmetic, without being put to the expence of a classical education. By this rule the children of the greatest part of the inhabitants are wholly deprived of any benefit from this Grammar School. Would it not be a general advantage to this school if such clauses were disannulled? Would it not be wise and prudent in the inhabitants to apply to the Dutchy Court, that such other regulations might be adopted as would render the Free Grammar School an institution of general utility? While this charter remains, and the limitations it contains are in practice regarded, it will never be of any essential advantage to the town.

† He was descended from an ancient family, the Lords of Mendham, in Suffolk, and died the 37th of Elizabeth, 1594.

fract, Wakefield, Leeds and Rotherham, or any part of the county.

The Charity School.

It is not certain when, or by whom, this school was first erected. There is no mention of such a school prior to the year 1709. William, Earl of Strafford, by will, dated the 9th of September, 1695, out of his favourable and charitable disposition to this town, gave and devised unto the mayor and aldermen the sum of two hundred pounds, towards the repairs of the great church, if the trustees, named in his will, should be well assured on payment thereof that the said church would be repaired, and constantly used as other churches were for the performance of divine service.

In the year 1709, there being no likelihood of this church being repaired, the Honourable Thomas Wentworth, the residuary legatee of the said Earl of Strafford, in regard to the memory and pious intentions of the said Earl, and wishing that the said two hundred pounds might be employed for charitable purposes, for the benefit of the poor of Pontefract, instead of applying it to his own use, as he certainly might have done, paid this sum to the corporation, on their giving a proper indemnity, to the intent that the interest thereof might be annually employed in and about some good charitable undertaking within the said town, either in setting up a school or a workhouse.

In consequence thereof the corporation, by

deed dated the 25th August, 1709, after reciting the above particulars, did grant the three closes, called Town's Closes, to the said Honourable Thomas Wentworth, and his legal representatives, as an indemnity for the payment of the said sum; and it was by the same deed declared that the mayor, recorder, vicar and the two senior aldermen of Pontefract, for the time being, should be trustees to manage, expend and lay out the said interest monies for the benefit of such Charity School or Workhouse.

The said trustees were also empowered to lay out the said two hundred pounds in the purchase of land, and apply the rents to the purposes aforesaid, and in case the said church should be rebuilt, the lands so purchased were declared liable to the payment of the said two hundred pounds.

This bequest appears to have laid the foundation of the Charity School. It cannot be doubted but the persons mentioned laid out the money in land, for which land they of course became trustees. The following is a list of the donations, inclusive of the above, which have been made to this school; and whatever lands were purchased with such donations they must have been invested in the same trust*.

* Though there can be no doubt that the persons mentioned in the deed of release are the legal trustees of the lands belonging to this charity, it is singular that they are not in possession of any one deed of conveyance. Is it not probable, that on the death of Recorder Frank, when the office which he had kept here was given up, and all the writings in his possession were conveyed to Campsall, such deeds were conveyed also?

	£.	s.	d.
Hon. Tho. Wentworth, Aug. 25, 1790,	200	0	0
Patientius Ward, Esq. Feb. 7, 1711,	2	0	0
Mr. Wm. Stables, Alderman,	7	3	0
Mr. Joseph Lodge, Sep. 3, 1712,	2	0	0
Mrs. Elizabeth Adams, Dec. 12, 1713,	2	10	0
Madam Savil, Wife of J. Savil, Esq. Jan.	2	8	0
Mrs. Sarah Sharpass, Widow, Aug. 1716,	20	0	0
Patientius Ward, Esq. to put out ap- prentices, Aug. 2, 1717,	2	2	0
Patientius Ward, Esq. for the same purpose, Aug. 2, 1719,	2	2	0
Mrs. Catherine Favil, 1722,	20	0	0
Mrs. Anne Vickers, by will, May 21, 1722,	5	0	0
Mr. Richard Shillitoe, late of Charl- ston, Sep. 21, 1724,	10	0	0
Patientius Ward, Esq. Oct. 1, 1725,	10	0	0
Mrs. Sarah Cayley, Nov. 26, 1725,	10	0	0
Mr. John Staveley, Nov. 26, 1728,	10	10	0
From an unknown person, Dec. 18, 1728,	1	1	0
Mrs. Dorothy Frank, by will, May 3, 1728,	30	0	0
Mrs. Anne Lowther, April 18, 1729,	5	0	0
Mr. Wilson, July 2, 1729,	21	0	0
John Lowther, Esq. by will, Oct. 16, 1731,	20	0	0
Mrs. Elizabeth Perfect, Jan. 5, 1731,	5	3	0
Mr. Solomon Dapeir, June 4, 1732,	100	0	0
Mrs. Mary Kellam, Dec. 28, 1732,	5	0	0
From an unknown person, May 27, 1736,	20	0	0
Mr. Scholey, educated as a Charity Boy,	100	0	0
	<u>£608</u>	<u>14</u>	<u>0</u>

This Charity School, besides the donations made to it, has received considerable support from annual subscribers; and every annual subscriber of one guinea, has acted in conjunction with the proper trustees, in the regulation and management of the said school. The conduct of the trustees, in relinquishing their exclusive right of management, deserves commendation. They have acted on the obvious principle, that when men voluntarily give their money for any charitable purpose, they have a right to see that it be properly applied. By this conduct annual subscriptions are encouraged, as the subscribers have full liberty to recommend the children of the poor to the benefit of this charity.

After the establishment of this institution, for some time the children of the poor were only instructed in reading, writing and arithmetic, free from all expence; but the donations and private subscriptions at length enabled the trustees, not only to educate, but to clothe the boys and girls admitted on this charity.

A house, situate in Micklegate, was purchased for the master of this school; and in the year 1779 the present spacious school-room was erected on the ground behind it.

When the King's Grammar School was re-founded, the trustees of this charity appropriated one hundred and fifty pounds from its funds towards the erection of the said Grammar School.

The number of boys and girls admitted on this foundation is regulated by the state of its finances. It is usual for the children admitted to receive their coats and gowns, and one pair of shoes on St. Thomas' day; their shifts, shirts

and another pair of shoes at Midsummer; the girls their aprons, handkerchiefs and caps at Easter; and the two oldest girls alternately attend in the house of the master, in order to learn the necessary work.

Children are admitted into this school at the age of eight years, and remain until they are fourteen; and if then put out apprentice it is the custom to give one guinea along with them.

The following is an account of lands, &c. now belonging to this Charity School, exclusive of the annual subscriptions.

LANDS, &c.				RENT.		
	A.	R.	P.	£.	s.	d.
A close in Purston Row,	3	0	36	12	12	0
Do. do.	2	0	16	7	10	0
Do. and piece in Bennet Ings,	1	1	25	5	0	0
Do. at Baghill,	3	0	11	16	0	0
Do. in Darrington Lane,	4	1	13	17	0	0
Do. in Upper Taythes,	1	1	32	6	0	0
A Garden in Bailey-gate,	1	1	18	9	0	0
Do. northward,	0	1	22	1	1	0
Three eights of a close at Darrington, let for £8. per ann. }	4	0	0	3	0	0
A close at Darrington,	5	3	31	11	11	0
Do. under Wenthill.	2	0	0	3	0	0
Do. at Cutsyke,	4	3	6	5	0	0
Lady Betty Hasting, annually,				7	0	0
An annual payment out of land } at Ferryb. by Dr. Jefferson, }				0	16	8
Do. by Mr. Popplewell, out of } land at Spittle-Gap, }				0	8	4
	34	0	10	£104	19	0

BEQUESTS AND DONATIONS.

Talbot's Charity.

In the thirty-second of Elizabeth, (1590.) George Talbot, Earl of Shrewsbury, by his will of this date, appointed the sum of two hundred pounds, to be yearly employed for ever unto the benefit of the poorest artificers in the town of Pontefract, for the increase of trade and occupations there, that is to say, that the mayor of the said town and his brethren, or the major part of them with the mayor, by the assent of the Earl of Shrewsbury, for the time being, shall upon Monday in Whitsun week, pay and lend to every poor artificer of the same town, so far as the said money will extend, five pounds for the term of three years next following, putting in good and sufficient security for the repayment thereof*.

Sayle's Dole.

Mr. Thomas Sayle, mentioned as a benefactor to St. Nicholas' Hospital, by his said will, June 8, 1673, gave one hundred pounds to the poor of Pontefract, the interest of which to be distributed

* DUGDALE's Baron. Whether this bequest, of the Earl of Shrewsbury was ever paid to the mayor, and disposed of in the manner directed, is not known. There is not a word relating to the above bequest in any of the books now belonging to the corporation; and if the two hundred pounds has ever been appropriated according to the will of the said Earl, it has been lost either for want of sufficient security for the repayment thereof when lent to poor artificers, or unjustly applied to some other purpose.

amongst them by the mayor and vicar, for the time being, every Christmas for ever.

The said Thomas Sayle omitted to appoint trustees to receive the said one hundred pounds, on which account a commission for pious uses was held at Snaith, and an inquisition taken the 18th April, 1674, and it was decreed that John Frank, Esq. then mayor, Samuel Drake, D. D. and William Wilkinson, should stand and be trustees to receive the same, and that it should remain a stock for ever, and the income and profits thereof be distributed yearly, by the mayor and the minister of the town, for the time being, and their successors for ever.

Some years afterwards the trustees applied the money to different purposes than those intended by the donor, and another commission for pious uses was held at Barnsley, on the 2nd June, 1678, and a decreetal order was then made that the said one hundred pounds should be paid to Mr. Thomas Jackson, then mayor, Mr. Drake, then vicar, Richard Lyle, Hastings Sayle and Thomas Sayle, who soon after the receipt thereof should purchase land of inheritance of the clear yearly value of six pounds, to the use of the said Richard Lyle, Hastings Sayle and Thomas Sayle, the mayor and vicar of Pontefract, during the natural lives of Richard Lyle, Hastings Sayle and Thomas Sayle, and after their decease to the use of the said mayor and vicar for the time being, and their successors for ever, in trust, nevertheless to and for the charitable use aforesaid.

The said one hundred pounds was afterwards received by the said Hastings Sayle, who pur-

chased the close hereafter mentioned therewith, and by his will, dated July 23, 1721, did give and devise unto the poor of Pontefract, one close in Purston Jacklin, called Lady Close, then in the possession of Robert Lorryman, in lieu and consideration of and satisfaction for the said one hundred pounds, so received by the testator, Hastings Sayle, and given by the said Thomas Sayle as aforesaid.

To the intent and purpose that the mayor and vicar of Pontefract, for the time being, and their successors for ever, might annually receive the rents and profits thereof, then about six pounds, and distribute the same yearly at Christmas.

September 11, 1722, Mr. William Kitchingham, by deed, confirmed the title of the above close to the said mayor and vicar, and their successors for ever, in trust for the uses before mentioned.

The Corporation's Bequest.

The corporation of Pontefract purchased eight acres and a half of land, (query if not a close at Purston-Row of six acres two rood and ten perches, and a close in West Field, of two acres one rood and twelve perches,) in the West Field, of William York, Esq. and Mrs. Heptinstall, for the use of the poor for ever.

Mr. John Acaster's Bequest.

Mr. John Acaster, by his will, gave three bushels of wheat, to be paid annually out of the

rents and profits of his house and garden in Micklegate, (now the eastern part of Mr. Seaton's house and yard,) to be distributed every Christmas, by the overseers of the poor, for ever, to as many poor widows in Micklegate as they shall think most needful.

Mrs. Dorothy Frank's Bequest.

Mrs. Dorothy Frank, by her will dated the 29th of March, 1728, gave one hundred pounds to be laid out in land, the rents and profits thereof to be distributed as follows, thirty shillings to the Charity School of Pontefract, and the remainder to be annually distributed to the poor people of the town of Pontefract, at Christmas, at the discretion of Robert Frank, Esq. Nicholas Torre, Esq. and the vicar of Pontefract, for the time being, who are appointed trustees for the same.

A close at Darrington was purchased of Joshua Wilson, Esq. with the above one hundred pounds, and thirty shillings is paid to the Charity School, and the remainder of the rent, it is presumed, is distributed yearly at the discretion of Mr. Frank.

Mr. Fothergil's Donation for the Appointment of a Catechist or Lecturer.

The Reverend Marmaduke Fothergil, the proprietor of the land called Frier Wood, not having any children, and considering the duty of the parish too great to be discharged by the vicar, conveyed the land above mentioned

to the Archbishop of York, Sir Wm. Dawes, in trust for the support and maintenance of a catechist to serve in the church of St. Giles.

By deed, bearing date Jan. 3, 1716, after specifying the reasons which had influenced him to make the bequest, and pointing out the property, he then adds, " To have and to hold the said messuages or tenements and cottages, garths, gardens, lands, tenements, and premises above mentioned, with all their rights and appurtenances whatsoever to the said Sir William Dawes, and his successors in the see of York, to and for the only proper use, benefit and behoof, of him the said Marmaduke Fothergil and Dorothy his now wife for and during their natural lives, and from and immediately after the deaths of them the said Marmaduke Fothergil and Dorothy, then to and for the several uses hereafter mentioned and declared of and concerning the same (that is to say) to and for the use of his Grace the Lord Archbishop of York and his successors for ever, in trust, that nevertheless all the rents, issues and profits thereof may half yearly be paid to for and towards the support and maintenance of a chatechist in the chapel of St. Giles within the town of Pontefract aforesaid, or in the parish Church of Pontefract when rebuilt, whom the said Archbishop of York and his successors, from time to time, shall and may always nominate after the deaths of the said Marmaduke Fothergil and Dorothy his wife; provided that the said archbishop and his successors shall and may impose such further obligation of duty as in his wisdom he shall think most reasonable for the catechist to do

and perform in the discharge of his office, and for neglect or omission of such duty of the said catechist, the said archbishop and his successors shall and may from time to time proceed against such catechist and catechists by what ecclesiastical censure, even to deprivation, as he or they in their great wisdom shall think most expedient, provided always, and it is the true intent and meaning of the said Marmaduke Fothergil, that the said Frier Wood and the houses, garths, gardens, orchards, lands, tenements and premises, and all their appurtenances shall from time to time and at all times be let and disposed of without any foregift at the utmost and full improved extended yearly rent and income by his Grace the Lord Archbishop of York for the time being. And whereas the parish of Pontefract aforesaid is too great for the sole discharge of the vicar thereof, therefore the said vicar of Pontefract shall not at any time be catechist, neither at the same time shall the catechist be vicar of Pontefract aforesaid, but the respective discharge of their duties shall always be distinct and executed by two different persons. And the said Marmaduke Fothergil for himself and his heirs doth hereby covenant, grant and agree to and with the said Sir William Dawes, Archbishop, and his successors, that the said Marmaduke Fothergil, at the time of sealing and executing of these presents, is and standeth lawfully seized of a good estate of inheritance of and in the houses, garths, gardens, orchards, lands, tenements and premises thereunto belonging, with their and every of their appurtenances, and hath in himself good right and full power and lawful

authority to convey, assure and dispose of the same and every part thereof, in trust as aforesaid, to and for the several uses and under the several provisoes, conditions, restrictions, and limitations above mentioned, for and notwithstanding any former or other act or thing whatsoever by him the said Marmaduke Fothergil or his assigns done or acted to the contrary. In witness whereof the parties to these presents interchangeably have set their hands and seals first above written."

"Also a lease for a year, bearing date the 22nd of January aforesaid, made between the said Marmaduke Fothergil of the one part, and the said Sir William Dawes, Archbishop of York, of the other part, of the said messuages or tenements, cottages, garths, gardens, orchards, lands, tenements and premises. Which said indenture of lease and release are witnessed by Arthur Gargrave, Nathaniel Stavely, Matthew Wilkinson, John Dickson, and Robert Staveley, gentlemen, all of Pontefract aforesaid*."

MARMADUKE FOTHERGIL.

Signed and sealed by the above named Marmaduke Fothergil in the presence of us,
M. WILKINSON,
JOHN DICKSON,
NATH. STAVELEY, Jun.

* The two lecturers, which have been appointed on this donation, are noticed in the Drakes' pedigree, page 158.

THE PARK.

Uncivilized man, impelled rather by his wants than allured by pleasure, ardently pursues the beasts of the forest. Hunting may be considered as his necessary employment; and the game caught by his agility, dexterity and cunning, as being the chief part of his subsistence. This employment, toilsome as it is, yields however but a precarious and uncertain support; and when man has been taught to supply his wants by the cultivation of the ground, if it be not wholly relinquished, it will only be pursued as an amusement, or as an healthful exercise.

The Normans were passionately devoted to the sports of the field; and nothing can more strongly establish the fact, than the conduct of William, who laid waste the county of Hampshire, and made it a forest for wild beasts. The nobles, like their leader, within their domains inclosed extensive districts to preserve the *feræ naturæ*, to afford them the pleasures of the chase.

Parks have been defined forests enclosed*, and were called *Haie dominicales*. This word *Haie* appears in the composition of a variety of local names, under its dialectical differences of *hey, hay, how, haigh*. It is the Saxon *Hæg*, and means an hedge. Hence parks were called haighs, on account of being inclosed with hedges, as Rothwell Haigh, which was the park belonging to the Manor House of the Lacies. Hence Houghton, the village now called Glass

* See WHITAKER'S Wholley.

Houghton, seems to derive its name, as being originally within the inclosure of the haigh or park.

To our royal and baronial castles usually belonged two parks, one inclosed with a wall for fallow deer, the other for red deer, fenced around with an hedge.

To the parks as well as the forests were appointed keepers, and the game was secured by the forest laws. A family of the name of Hippon*, which came in with the Conqueror, were hereditary keepers of Pontefract Park. This family resided at Featherstone, and continued in their office under the Lacies and Plantagenets, down to the time of Queen Elizabeth, when an account was taken of the deer and wood in the park.

Parks were usually driven twice in the year, once before *fence month*, and secondly about Holyrood Day. Fifteen days before Midsummer, and fifteen after were called *fence month*, in which all hunting was strictly forbidden, the hinds being then either big with young, or having calved. On Holyrood Day the agisters began to take in cattle, and all who had common right, came to the pounds, where a roll of the gates they were entitled to was kept.

It appears that however tenacious the barons were of their game, they allowed their tenants the advantage of common right for their cattle, as well within their parks as in their waste

* This ancient family, though its hereditary office was neither honourable nor lucrative, for ages continued to be respectable. It is now become extinct in this neighbourhood; and the only branch of it remaining resides at Dewsbury.

lands. From this custom has originated the claims of freeholders to a proportionate share of waste lands in a manor, and of landholders to gaits for their cattle in common lands.

In the thirtieth of Elizabeth a commission was issued to inspect and survey this park, as part of her Majesty's inheritance of the Dutchy of Lancaster, within the county of York. The following gentlemen were appointed Commissioners, Anthony Thorney, John Ridial, Edmond Tyas, Thomas Austwick, Thomas Etherington, John Leatham, Willam Dillock, Stephen Crosby, John Milner, William Holgate, Ralph Airy, and Allen Andrews. Certain articles of inquiry were given to these commissioners, to which they returned the following answers.

“To the first article, the said park is distant from Pontefract Castle half a quarter of a mile, but how long the same hath been a park we cannot tell, but so far we have heard said, it was sometime called Pontefract Moor*.”

“To the second article, the same rout within the whole circuit of the pales, seven hundred acres, whereof we think there is none may be employed for meadow†, one hundred acres for arable ground, and all the rest for pasture.”

“To the third article, we say that every of

* It should seem from this, that the extensive tract of land called the park, prior to the conquest, was fenny and waste; and most probably depastured by the cattle of the burgesses. When the Lacies became the proprietors of the burgh, this district was then surrounded by a foss and paled.

† Such were the sentiments of gentlemen and farmers in the reign of Elizabeth? This land now produces as good crops of grass and hay as any land in the neighbourhood.

the one hundred acres of arable land and every acre of pasture is worth by year twelvepence."

"To the fourth article, there is in the pales about the said park, and within the premises of the same, one thousand three hundred and seventy timber trees, whereof we think four hundred of the best are worth ten shillings a piece, other four hundred of the next sort worth six shillings and eightpence a piece, and the rest at five shillings a piece. In fuel trees one thousand seven hundred and sixty, whereof five hundred of the best are worth to be sold at six shillings and eightpence a piece, of the second sort other five hundred at five shillings a piece, and the rest at three shillings and fourpence a piece. Also four hundred saplings worth sixteen pence a piece, one hundred ash at sixteen pence a piece*."

"To the fifth article, there is no manner of mines to our knowledge†."

* At this period the best timber trees were only worth ten shillings; at present they are not worth less than ten pounds. Wood was then plentiful; nor did the navy, the pride of Britain, though then strong enough to defeat the Armada, consume one thousand part of the timber which is now found requisite. An increased population has turned deserts into fruitful fields; and though the country is shorn of its stately oaks, other countries are ready to cut down their forests, and exchange them for the produce of British industry.

† It is evident that these commissioners were not competent judges on the subject. Their answer however implies, that hitherto no mines had been formed: Since then coal has been gotten, and there is no doubt, but a bed of coal runs nearly through the whole extent of the park. It is probable the whole might be got by the mean of one steam engine. By the act for dividing the park, the inhabitants are debarred from working any mines; and the coal can only be got by a grant from the dutchy of Lancaster.

“To the sixth article, there is growing within the precinct of the said park certain underwoods, thorn, maples, hazles, allers, and other brushment, but what acres the same be or what age the same be of, we know not, but we say that they are worth to be sold at sixty pounds.”

“To the seventh article, there was in the park in anno primo of the Queens Majesty's reign three hundred deer, and at this present five hundred fourscore and fifteen viewed by William Mallet, John Tindal and Robert Hippon, keepers and others.”

“To the eighth article, we say that George Lord Talbot hath the said park by indenture, under the seal of the Dutchy of Lancaster, paying therefore by year four pounds three shillings and fourpence. And further saith, that the *town and inhabitants of Pontefract and Tanshelf* have by custom common in the park, with their horses and kine yearly time out of man's mind, from the feast of St. Ellen, called the invention of the cross, unto the feast of St. Michael; and so hath this present, paying therefore yearly unto the herbage or farmer of the said park for every cow one shilling, and for every horse or mare two shillings for the whole jist, and for a cow if she lies in the park nightly one shilling and fourpence. For a circle for brackens twopence, for a swine in pannage time fourpence. And further saith the King and Queen's Majesty's tenants, or copyholders of Carleton, Hardwick and Tanshelf, have common in a close called Carleton close in the said park, with their draughts, oxen or cattle yearly from the said feast of St. Ellen unto the said feast of St.

Michael, paying therefore yearly for every beast fourpence, for which custom and common the said tenants are bound by the tenure of their lands to carry the queen's timber and others to their highness's castle or mills, having therefore for every carriage according to the custom paid by the receiver there, which said close has been so used and occupied until four years last past, and since then the pales there taken by the keepers and the ground laid into the new close adjoining to the same, whereby the same tenants are not able to serve the Queen's Majesty as they have done in times past. And further saith, that the farmer of the said manor of of Hardwick hath had time out of man's mind common in the park yearly, as well in winter as in summer, for sixty beasts and ten horses or mares. Also in pannage time swine without number. for which custom the late priory of St. Oswald, before the dissolution of the house, hath paid to the keepers of the said park six quarters of wheat and to the palace four quarters, and since the dissolution thereof, the receiver here has paid yearly in respect to the said wheat three pounds six shillings and eightpence until now of late. And also says that the farmer of the capital messuage of Houghton, called Houghton Hall, have had time out of man's mind, and also since thence the first year of her Majesty's reign in the said park common for sixteen beasts and four horses from the feast of St. Ellen until Michaelmas yearly, and also hath had one key of custom delivered unto him by the keeper of the said park at the said feast of St. Ellen until Michaelmas, of one

gate, called Houghton Carr Gate, for the driving out of their cattle, paying yearly unto the said keeper at the delivering of the said key fourpence, and in pannage time swine without number. And further says that the queen's Majesty is charged with certain fees payable forth out of the said park, that is to say, to the keeper for his fee one pound six and eightpence for carriage of pale and rail, and making pales thirteen shillings and fourpence."

"To the ninth article, there is built in the said park three lodges or houses, whereof two of them are in good reparation and the third partly in decay, but who is charged with the reparation thereof we know not. Also there is a barn built in the said park to lye hay in that is gotten for the deer, the reparation whereof is at the queen's charge."

"To the tenth article we cannot depose."

"To the eleventh article, there is in the said park one close called the New Close, another called Vicar's Close, the most part thereof of the pales are in good reparation and also of the said park. Also there is another close in the said park called the Carr, granted by indenture to William Mallet, Esq. forth out of the exchequer and before belonging to the late dissolved monastery of St. John, in Pontefract. And further saith that there are fifteen acres of meadow in Allerton Ings belonging to the said park for the deer, gotten yearly at the Queen's charge. Every acre worth by year three shillings and fourpence."

"To the twelfth article we can say nothing."

"To the thirteenth article, the same is a princely park and meet before any other to be preserved."

It does not appear, notwithstanding the recommendation of the commissioners, that much attention was paid to the park after this period. When the wood was cut down and the deer sold, the author has not been able to ascertain. It is however most probable, that this was done during the civil war. For after this time, as the castle was destroyed, the park was in a great measure neglected, and a considerable part left to the operations of nature, unaided by the hand of man.

In the park, there were three houses erected and occupied by the keeper and his servants. One was called the Upper Park-House, now inhabited by Mr. Jones; the other the Lower Park-House, now that which M. D. Denison occupies; and the third was the lodge, where the keeper resided, and in which Mr. Mumforth now dwells. It is probable it was at the Upper Park-House a scene of cruelty and plunder was exhibited, not often equalled in the annals of Newgate. The Reverend Leonard Scurr, who had been ejected by the Act of Uniformity from Beeston Church, where he had assisted the Rev. Mr. Cudworth, lived in the above-mentioned house, with his mother and a maidservant. He enjoyed a considerable estate in the neighbourhood, and it is probable, that the respectability of the family led his neighbours to permit him to reside there, though contrary to the five-mile act. Whether he became the object of resentment on account of his nonconformity, or whether he fell a victim to a lawless banditti, who merely wished to secure his property, it is impossible to determine. Whatever might be the

motives of the actors in this tragedy, they entered the house, in the night of the 22nd of January, 1680, murdered Mr. Scurr, his mother, and the maidservant, then plundered the house, and on departing set it on fire*.

The Upper Park-House being so near to the town of Pontefract, this horrid transaction could not be long unknown. An active search was made after the murderers; and circumstances occurring which led to suspect a party at Holbeck, near Leeds, they fled to Ireland. They were however pursued, and two of them taken; and being tried at the next assizes, were found guilty. One was executed and hung in chains on Holbeck-Green†; the other was reprieved, in hope that he would make a further discovery,

* See PALMER's Non. Mem. Vol. 3. page 424.

† A narrative of this tragedy was printed. The editor regrets that he has not been able to meet with it, as it might have thrown some light on the transaction. On repeatedly perusing Palmer, the editor doubts whether this transaction took place in Pontefract Park, or in some place called the park, near Beeston. The following is the account Palmer gives.

"Mr. Scurr, Of Sidhey Col. Camb. Born in Pontefract: He had a good estate in this neighbourhood. Some time after being silenced here (where he assisted Mr. Cudworth) he and his mother, with a maidservant, lived retired at a house in the park, where thieves broke in, robbed and murdered them, set the house on fire. Jan. 22, 1680, and then fled into Ireland, whither they were pursued. Two of them were taken and condemned; one was hanged in chains, on Holbeck Green; the other was reprieved, in hopes of a further discovery, which he could never be brought to make. A narrative of this tragedy was printed. It was said that Mr. Scurr, thought a good preacher, was a man of a bad character, and a scandal to his profession."

but he resisted every attempt to obtain any information from him*.

* A few years ago an atrocious murder was committed in the forenoon of the day, at a newly erected farm-house in the park, accupied by Mr. Denison. A servant lad returning home with his cart, near noon, and his foot being hurt by a nail, which came through the heel of his shoe, went into the house to find a hammer to knock it down. In searching for the hammer, he discovered blood in different places, and at last turning his head to the cellar door, descried the body of Mrs. Denison in the cellar, which was then half full of water. He drew her out of the water, and laid her near the fire, and then ran and called his master, who was plowing in a close at some little distance, with a servant man. On the alarm being given, that Mrs. D. was killed, Mr. D. hastened to his habitation. Mr T. Oxley, Surgeon, was sent for, and considerably within an hour from the body being found he examined it, but could not discover any signs of life, nor so much as the least animal heat remaining. It appeared that the murder had been perpetrated by a stroke with the crow end of a hammer, by which a deep wound was made in the forehead, and the body afterwards thrown into the cellar.

The coroner's inquest was taken, and every circumstance minutely examined, in order to fix the guilt of this foul murder on its real author. Nothing however occurred decisive. The servant lad, who found the body, was suspected, taken up and tried; but the evidence of the surgeon saved his life. He considered it impossible for the body to become cold in so short a space of time as had elapsed from the lad being seen to enter the house, and his examination of the corpse. It was his opinion that the murder had been committed much earlier.

Suspicion arose, from other circumstances, that the perpetrator of this nefarious deed, must have been either a branch of the family, or some one intimate with it. There was a mastiff in the house, which would suffer no stranger to enter, unless checked by some one acquainted with him; and as Mrs. Denison was the only person left in the house, it is not probable, that this dog should permit a stranger to attack her, without making a strenuous defence. As the dog was unin-

After the revolution the park was leased off to the Moncton family, with a reservation of the rights of the inhabitants of the borough of Pontefract, and of the township of Tanshelf, to their usual gates and strays. It wholly remained in the possession of this family till an act of Parliament was obtained in the year 1780, for dividing and improving this extensive district of land. By this act three hundred and twenty-five acres were allotted to the inhabitants of Pontefract and Tanshelf, in lieu of all their rights; and provision was made for its cultivation and management. In the preamble to the act, the reasons for passing it, and the agreement entered into by the parties interested, are mentioned: then follows the enacting clauses, in which trustees are appointed for that portion of the park allotted to the inhabitants of Pontefract and Tanshelf. The following are the words of the act.

“ *And* to the end and intent the said portion or allotment of three hundred and twenty-five

jured, and in the house when the body was found, it is natural to infer, that some person, who had an equal command over the dog with Mrs. D., was the murderer.

Had the murder been committed for the sake of plunder, whatever could have been secretly conveyed away, the murderer or murderers, would not have left behind. On examining the house, the goods were found unmolested. No drawers had been opened; no search had been made after any valuables, the house might contain.

The lad, though acquitted of the heinous crime, has since manifested a depravity which renders the suspicion stronger, that he perpetrated the deed. He has been guilty of theft, for which he was tried and sentenced to transportation. It is singular also, that the vessel in which he sailed was lost, and every person on board perished.

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acres heretofore assigned to and for the benefit of the said inhabitants, householders resident in the said township of Pontefract and Tanshelf, may be appropriated and converted to the best advantage, and the pasturage thereof taken and enjoyed in the most beneficial manner, and under proper regulations and restrictions; *Be it further enacted*, That thirty-three male inhabitants of the township of Pontefract for the time being, of the age of twenty one years or upwards, whose respective estates shall be the highest assessed to the poor rates, within the same township, and four male inhabitants of the said township of Tanshelf for the time being, of the age aforesaid, whose estates shall be highest assessed to the poor rates within the same township of Tanshelf, such estates being freehold or copyhold, or being leasehold, for ninety-nine years or a longer term, and held in the person's own or his wife's right, shall be and are hereby constituted and appointed perpetual trustees for the cultivation, improvement and future management of the said portion or allotment; and that such trustees, or any seven or more of them, assembled at the times and places hereinafter mentioned, shall have the full exercise of the powers hereinafter contained."

"And be it further enacted, That it shall and may be lawful to and for a major part of the trustees, who shall be present at any meeting to be held under the authority of this act, to elect a chairman to preside at such meeting, so as such election be made previous to the proceeding in or discussing all other business: And in case at any meeting where a chairman

shall have been so elected to preside; there shall happen to be an equal number of voices for and against any question then put to the vote, the said chairmaa shall have a second or casting vote, for the purpose of deciding such question."

"And be it further enacted, That the said trustees shall meet at the town's hall in Pontefract on the twentieth day of April in every year, from and after the passing of this act, at ten of the clock in the forenoon, and shall then and there decide what number of cattle may be proper to be taken into the said portion or allotment the then ensuing summer; which decision shall, within three days after the said twentieth day of April, be publicly made known in the said towns of Pontefract and Tanshelf by the common cryer or bellman, and by notice to be affixed on the door of the upper church in Pontefract aforesaid: And the said trustees shall also on the said twentieth day of April in every year, choose a proper person to be clerk or treasurer, and also another proper person to be the Herdsman for the several purposes hereinafter mentioned; and shall also then settle what salary, not exceeding five pounds per annum, shall be paid to the said clerk or treasurer, and what salary, not exceeding twenty-five pounds per annum for the first fifteen years from the passing of this act, and not exceeding twenty pounds per annum from thenceforth, shall be paid to the said Herdsman; and shall also on the said twentieth day of April in every year inspect and settle the accounts of the clerk or treasurer and herdsman for the preceding year."

“ And be it further enacted, That the said Trustees shall meet again on the first day of May in every year, at the town’s hall aforesaid, by ten of the clock in the forenoon, when such of the said inhabitants as are desirous of putting cattle into the said portion or allotment shall appear at the said town’s hall by themselves or proxies; and in case a greater number of persons shall appear and apply for cattle gates in the said portion or allotment than the number of cattle decided to be taken in as above-mentioned, that then the said persons shall write, or cause to be written, their names on scrolls of paper, and deliver the same, wrapped up, to the said clerk or treasurer, who shall put them into a box provided for that purpose; and after all the said scrolls of paper shall be put into the said box, the same shall be drawn out by any two of the said trustees; and the first drawn scrolls, to the amount of the number of cattle decided to be taken in, shall have the right to stock the said portion or allotment with one gelding, mare or cow each the then ensuing summer; and in case there shall not be so great a number of persons applying for cattle gates as the number of cattle decided to be taken in as aforesaid, that then all the persons so applying shall every one receive a ticket to put in one gelding, mare or cow, and a ballot shall be taken in manner above-mentioned which of them shall have a right to turn in a second head, and so on in like manner for a third, fourth, or greater number, until the whole number decided to be taken in shall be completed; and from and immediately

after it shall have been decided who shall have a right to put in cattle as aforesaid, every person so decided to have a right shall declare the species of cattle he or she proposes to put into the said portion or allotment; and each such person shall, for every gelding or mare, immediately pay down to the said clerk or treasurer the sum of ten shillings, and for every cow the sum of eight shillings, for the herbage or eatage for that season; and that the like rates or sums shall be paid in every future year by the persons who shall be decided to have a right to turn on any gelding, mare or cow for each season respectively, until the end and expiration of the term of fifteen years from the passing of this act, and afterwards such sum or sums, not exceeding the sums above mentioned, as the said trustees shall, from time to time, order and direct; and in case any person or persons shall neglect to pay such money as aforesaid at the time aforesaid, then the person or persons so neglecting shall have no right to stock, but the vacancy or vacancies occasioned thereby shall be immediately filled up by ballot in manner aforesaid out of the persons there appearing, who shall not have obtained a right to stock, or have obtained a right of stocking with the smallest number."

"And be it further enacted, That the persons who shall have obtained a right of stocking in manner aforesaid shall and may put their cattle into the said portion or allotment on or after the twelfth day of May in every year, and continue them there until the tenth day of October next following, but not longer; and in case the

gelding, mare, or cow of any person shall happen to die, or be sold or exchanged, or if it shall happen to be convenient to any such person to take out such gelding, mare or cow, that then he or she shall have a right to put in another gelding, mare or cow in the stead of such gelding, mare or cow, so dying, sold, exchanged, or taken out."

"And be it further enacted, That another meeting of the said trustees shall be held at the said town's hall, on the twentieth day of September in every year, at ten of the clock in the forenoon, in order to decide what number of sheep only shall be put into the said portion or allotment from the tenth day of October to the thirteenth day of February in every year, and in order to give such directions to the herdsman respecting the manner of stocking the said portion or allotment with sheep during the time aforesaid as they may think proper and necessary; and no person whatsoever shall have a right to put any kind of stock into the said portion or allotment, from the said thirteenth day of February to the said twelfth day of May."

"Provided always, and be it further enacted, That no person shall be permitted to ballot for or have a cattle gate in the said portion or allotment, who is not, at the time of his or her appearing to claim the same, an inhabitant, householder resident within one of the said townships of Pontefract and Tanshelf; and that all fresh cattle put into the said portion or allotment shall be shewn to the herdsman at the time of their being first put in; and that no

cattle shall be put into or continue in the said portion or allotment except mares and geldings three years old and upwards, and cows in milk or with calf, intended to be kept milch cows for the owners own use, and not intended to be fattened for sale or slaughter; and that no person shall take out of the said portion or allotment his or her gelding, mare or cow, and put in another in the stead thereof, oftener than twice in a summer, (except in the case of the death of such gelding, mare or cow) and that no exchange shall be made, except for one of the same species; and that no scabbed, infectious, or other uncommonable cattle, shall be put or continued in the said portion or allotment on any account whatsoever, nor any cattle which are not *bona fide* the property of the persons appearing or pretending to be the owners thereof, nor any mare having a sucking foal."

In case any person is convicted of putting into the park scabbed, infectious, or other uncommonable cattle, or such as are not *bona fide* his, or her own, such person becomes liable to a penalty of five pounds.

The trustees have a power to grant short leases for four or seven years, of certain parcels of the park, for the improvement thereof, such parcels not exceeding one hundred acres. They have also a right to make brick; but are wholly restrained from digging mines, or getting coals.

The whole of the above mentioned parcels of land have been cleared, and after producing large crops of grain, converted into excellent pasture-ground. The trustees have this year admitted three hundred head of cattle.

A few years ago, the innkeepers, joined by a considerable number of the inhabitants of the town, set on foot annual races. Numbers of sporting gentlemen, residing in the neighbourhood, encouraged the scheme, and it has been carried into execution. The ground of the park is considered highly eligible as a course; and the ridge above the course as affording one of the finest prospects for an immense concourse of spectators. A grand stand has also been erected; and hitherto the races have been well attended, and the stand filled with fashionables.

That part of the park which continues to belong to his Majesty, as parcel of his dutchy of Lancaster, was, by the above mentioned act, made a new district, to be called Pontefract Park District, for which constables, overseers, &c. are appointed, and assessments made and levied as in other townships. This has been inclosed and formed into several good farms.

The entire park consisted of one thousand three hundred and sixty-one acres three roods and thirty-seven perches, and is divided and held as under.

	A.	R.	P.
Allotment belonging to the inhabitants resiant of Pontefract and Tanshelf, }	525	0	0
Rt. Hon. Earl of Gallway, on lease,	871	0	39
Mr. Appletree, do. - -	62	2	36
Mr. Thistlewaite, do. - -	32	0	20
J. Leatham, Esq. do. - -	33	2	0
Roads and drains, - - - -	17	1	22
Amount of the whole, - - - -	1361	3	37
His Majesty's portion, - - -	1036	3	37

Stump Cross,

Is on the road from Ferrybridge to Pontefract. The shaft of this cross has perished long ago, and nothing but the base now remains. At what period it was erected, or for what particular purpose is uncertain. Browne, in ancient sculpture and painting, observes, "that the sculptures which were on the shaft of this cross, bespeak it Roman". These consisted of a circular-headed recess with an eagle; foliage, twisted bands, pateræ, &c*.

It is not probable that this cross was erected so early as the time of the Romans. The shaft indeed might be Roman, and erected by that people, as a monument of some victory obtained; and after the introduction of christianity, it might be chosen to form part of the cross, on account of its antiquity and the elegance of its workmanship.

The veneration paid to the cross soon converted it from its original design, and it was made to answer a variety of civil purposes. The Romans had their *Terminus*, the god who presided over bounderies and land-marks, and in honour of this god they kept the feast *terminalia*. The Christians rejecting this profane idol, substituted the cross in its place; and hence crosses were erected to mark the boundaries of townships and parishes. The Stump-Cross now

* Vid. *Gentlem. Mag.* March, 1806. In Gough's edition of Camden's *Britannia*, the figures on three sides of this cross are given, but nothing is said from whence they are taken. They are, most probably, engraven from some drawings in the possession of the Antiquarian society.

answers this end, and was probably erected for this purpose, as it is a boundary-stone between the townships of Ferryfryston and Pontefract.

Market-Cross.

Gough reprobates the removal of St. Oswald's cross, and the erection of the present. He says, "and, as if Pontefract was to shew no evidence of its former splendor, St. Oswald's cross gave place, within these thirty years, to an unmeaning market-house." The inhabitants of the town and country are of a very different opinion to this celebrated antiquary. They enjoy essential benefit from the latter, while the former, if it had been suffered to remain, would be wholly useless.

The plate will furnish the reader with an idea of this structure; and the only circumstance which merits notice, is some account of the man by whose munificence it was erected. The following is the inscription. "Erected by Mrs. Elizabeth Dupier, relict of Solomon Dupier, gentleman, in a cheerful and generous compliance with his benevolent intention, 1734.

Solomon Dupier is said to have been one of the garrison of Gibraltar, at the time it was taken by Sir G. Rooke. It is probable that there had been some good understanding between the admiral and this gentleman, previous to the attack made on that place; and the success of the attack might in part be owing to the services which he rendered. Whatever truth there may be in this conjecture, he came over to England, and together with a Capt. Lay, who

had been with Rooke, came and resided here. Tradition makes him a pensioner; and considering all things, it is not improbable.

On the first erection of the cross, the roof was flat, and surrounded with a balustrade; but the roof decaying it was new roofed in the style in which it is now seen.

Town's Hall.

This is an elegant modern structure. On entering the market place from the west, this building catches the eye and arrests the attention. The lower part is in the antique style, and gives to it the appearance of great strength. In this part are two rooms for prisoners. The pillasters which grace the front are of the Doric order, and the cornice of the Ionic.

It was erected on the site of the old Mote-Hall, partly at the expence of the corporation, and partly of the county. The quarter sessions for the wapentake of Osgoldoross are held here. The business done at this sessions exceeds that of any other within the Riding. Here the cloth searchers are examined and appointed; the accompts of the Riding audited and settled. The sessions usually continue four or five days.

Theatre.

Anxious to render the town equal to others in the amusements of the age, a number of gentlemen built by subscription the theatre. It is small but neat. The York company of come-

dians visit the place annually; and since the races have been established, they attend at that season.

Ancient Cave.

In a garden belonging to Mr J. Leatham, Banker, is an ancient cave, which has been, with great labour, cut out of a fine and solid rock.

There was anciently over the door the word *Ditis*. It is now wholly obliterated, and not the least trace of it remains. This word has led some of our antiquaries to suppose, "that this cave is druidical, and was formed to be a place of worship, where the old Britons invoked Du, whom they believed to rule in the lower places." This opinion approaches the extravagance of fiction. What has the term *Ditis*, to do with the Du of the Druids? If this term had any meaning, why not affix to it its usual import? *

On entering, the first thing which is observable is the cave, extending three yards forwards, and four from the right side to the left. From this room directly forward is a descent of thirteen steps; and from thence there is a descent of fifty-nine steps, regularly turning round a center, and which terminates in a small bason containing excellent water. On one side the rock, out of which the whole is cut, a fissure is observable, which descends to the bottom.

* As the word is in the genitive case, it is evident some other term must have been connected with it. It is not improbable that the word *Domus* ought to be supplied, and the sense will be "the house of Plato;" and inscription which perfectly suits any cave or dark recess.

It is doubtful for what purpose this place was formed. Some have conjectured that it was intended to be a mansion for the dead. The least reflection will convince any man, that this conjecture is wide of probability. Is it not more natural to suppose, "that as this cave is so near the place where the house of the Black Friars once stood, it was formed by the brotherhood, either as a penitentiary exercise, or for the purpose of obtaining water? The one or the other of these seems the most probable conjecture which can be formed.

THE
CORPORATION.

The Privileges, Customs, and interesting Occurrences relating to it.

FROM the earliest records the burgesses enjoyed many, and, at that period, very valuable privileges; but they possessed no corporate rights. The grant of Roger de Lacy *, while it confirms the privileges of the burgesses, clearly evinces that they possessed no authority, but what he condescended to bestow. The office of headborough or prætor, a burgess might hold, provided he would give as much for it as any other person; but any other person was eligible, in case he was the highest bidder.

In this dependent state the burgesses continued till the honour of Pontefract became the property of the Dukes of Lancaster, and the Dukes of Lancaster lost their names in that of Kings of England. Richard III. in the first of his reign, granted to this borough a charter, to be governed by a mayor, recorder, and thirteen comburgesses, or aldermen; and before the conclusion of the year, a charter of confirmation. The charters are in the usual style,

* Vid. Ch. No. 1. Appendix.

and define and confer the rights and immunities of a corporate body on the burgesses.

Whether the burgesses had aided and assisted Richard in accomplishing his design on the crown, or whether he bestowed this boon to attach them to his interest, is not easy to decide. The latter conjecture is most probable, as Richard saw the storm now gathering, which at last burst upon him, and put an end to his cruelties and his life.

As it was usual for our kings to resume the charters of corporate bodies, in order to raise money for granting new ones, it is not improbable that Henry VII. resorted to this measure, in regard to this borough. In the fourth of his reign he granted a charter, expressed in the same terms as that of Richard, but without noticing or referring to it in any way.

In the above charter it is ordained, that the mayor shall be chosen by the votes of the burgesses; and the mode that obtained was to give these votes openly in the Mote-Hall. This mode of choosing the mayor became a source of strife and contention among the burgesses; and the quarrels and differences which arose from one election scarcely subsided before another took place, which in like manner gave birth to others. Thus the town was rent by factions; peace was banished and good neighbourhood destroyed.

To terminate these differences, and restore peace and harmony to the town, the burgesses appear to have petitioned James I. to grant a new charter, to regulate the mode of choosing the mayor in future. Accordingly, in the fourth

of his reign, a charter was granted, appointing that mode of choosing the mayor which has ever since obtained. The mode is this, each burgess writes on a scroll of paper, "On the fourteenth day of September, in the year of our Lord (mentioning the current year), such a person is elected mayor of this town or borough." The name of the burgess is not signed, but the scroll of each is put into a box, then taken out by the town clerk, and the alderman, whose name is wrote on the greater number of scrolls, is declared duly elected; and the scrolls are burned, that the handwriting may not be scrutinized, lest it should be known for whom, or against whom any burgess voted.

In the charter of Charles II. the same rights and privileges are conferred, as in those before granted; one clause excepted. The town clerk and recorder had hitherto been chosen by the mayor; but by this charter the right of appointing these he reserves to himself and successors. The nomination is left to the mayor, but they are not allowed to enter into office without a warrant in that behalf, under the King's sign manual.

James II. eager to introduce popery, availed himself of his prerogative to grant charters, to accomplish this object. In his charter to this borough, he reserves to himself, his heirs and successors, the right of removing at pleasure, the mayor or any of the aldermen. It is easy to perceive his design, in inserting such a clause in his charters. It was, that corporate bodies might feel their dependence on the crown, and be led to support all its pretensions, or he de-

prived of all their privileges, and others more obsequious and obedient be substituted in their place.

Previous to the commencement of the civil war the corporation appear to have been much alarmed, and to have felt themselves incapable of performing their duty as liege subjects, in maintaining the peace of the town. They chose out of the burgesses sixteen, and associated them with themselves, for the better management of the town's affairs.

During the civil war, and the siege of the castle, the authority of the mayor was superseded by the chief commanding officer in the town. In this turbulent period, corporate privileges were disregarded; and no other law was admitted to be valid than that of the sword.

On the restoration of Charles II. commissioners were appointed for regulating corporations, by his letters patent, dated Sept. 10, 1662, at which time the following persons were removed from their office of aldermen, Leonard Ward, John Cooper, Richard Wildman, John Drake, and Jarvis Cooper; and these six gentlemen were placed in the office of aldermen, the said places being void as aforesaid, Wm Wilkinson, Jun. Robert Tatham, Jun. Richard Austwick, G. Shillitoe, Jun. Leonard Stables, Jun. and Thomas Jackson, Jun.

The reason of the removal of the above gentlemen, was their attachment to the interests of the late parliament. Those who had enjoyed power and authority under the auspices of Cromwell were ousted; and the friends of those high prerogative notions which now obtained, were substituted in their place.

M m m

*

The corporate body, having a right to make by-laws, exercised this right: and several such laws were made, which as they strongly mark the contracted notions and spirit of the times, as well as prove the existence of the Saxon Guilds, deserve to be mentioned. By one of these, "no man was suffered to set up and follow his business and employment within the borough, unless he had served an apprenticeship to the said business within the said borough." In consequence of this law, the burghesses and inhabitants who followed any particular occupation, secured to themselves all the trade of the place; they formed companies, into which no one could be admitted, but on the condition specified. By another by-law, the condition of apprenticeship was changed for a pecuniary consideration, and any person, who desired to be admitted a member of any company might obtain the privilege, on paying to the mayor, and to the company, certain large sums of money.

There were within the borough, the mercers', the drapers' and taylor's companies; &c. and as it may gratify curiosity, the following is the form of admission into the latter.

Borough of } 23rd May, 1733.
 Pontefract. } Thomas Hill, Taylor, was then admitted free of the Company of Drapers and Taylors within the said Borough.

Witness

B. Hepworth, Clerk to the said Company.

The companies continued to be kept up, as appears from the above copy, though they had

been abolished by a by-law, passed in the Mote-Hall, Feb. 1. 1736. It is said, "that restrictions laid on trade, by preventing the spirit of competition, tended greatly to the injury of trade, and was found to be destructive of the prosperity of the town; and in consequence, all orders, constitutions and by-laws, heretofore made, are repealed, revoked, disannulled, and made absolutely void, and that all persons whatever may have free liberty, right and authority to use and exercise their respective trades, businesses or employments within the said borough from henceforth."

The corporation are proprietors of about fourteen acres of land within the borough, and a house in the Shoe-Market, and a Corn-Windmill, situate in the township of Tanshelf.

The corporation are also entitled to the following rents and tolls.

Certain burgage fee-farm rents, issuing out of certain houses and lands within the borough, amounting annually to £30.

A fee-farm rent paid by the King's Receiver.

A toll of wool, sold in the market, at the rate of 4d per stone.

—— of fruits and vegetables, &c.

—— of horses sold at 8d each, and for one exchanged 6d.

—— of sheep sold at 4d per score.

—— 2d for every hawker, pedlar, &c. selling goods within the borough.

—— of boats passing upon the river Air, betwixt Temple Hurst and Knottingley Mills, for every boat with a cockboat 4d, and for every boat without a cockboat 2d.

A toll from the butchers and other stalls every market day 2d each.

On the first market-day after Michaelmas, each butcher pays 6d for his stand, called book-ing-money.

From butchers and others, at St. Andrew's Fair, Twenty-Day Fair, Candlemas Fair, Palm-Sunday Fair, Low-Sunday Fair, Trinity Fair, and St. Giles' Fair, for their stand 4d each.

On the market-day before Christmas, called Castle-Farm, each butcher pays 6d for his stand.

Every butcher that has only a stall in the market on Christmas-Eve pays 12d each.

If any person come on St. Giles' Monday, who was not there on Saturday, he pays 4d, but all persons that paid on Saturday are exempt on Monday.

If any butcher die, or neglect to make use of his stall for six months, the corporation has the disposal thereof.

A toll, called Gate Law Toll, of one 1d for every waggon or wain bound with iron, and one halfpenny for every bare wain.

Out of these rents and tolls, the corporation pay a reserved rent of £49. 13s. formerly belonging to the crown, but now to the Right Honourable Lord Elliot.

They also pay various small salaries to their officers.

Since the incorporation of the borough, the following is the list of the mayors down to the present time.

RICHARD III.

HENRY VII.

1 John Hill, - - 1484. 2 Nicholas Green, 1485.

3 William Sadler,	1486.	41 Rob. Harrison,	1524.
4 Richard Jackson,	7.	42 Roger Jackson,	5.
5 William Strother,	8.	43 John Wakefield,	6.
6 Robert Austwick,	9.	44 Thomas Hodgson,	7.
7 Jos. Springall,	1490.	45 Lionel Roulston,	8.
8 Robert Gellis,	1.	46 William Hodgson,	9.
9 John Adams, -	2.	47 William Thwaits,	1530.
10 Richard White,	3.	48 William Norton,	1.
11 Thomas Butler,	4.	49 Roger Wedderton,	2.
12 John Hill, - -	5.	50 Robert Harrison,	3.
13 John Hill, - -	6.	51 Wm. Wilbore,	4.
14 John Hill, - -	7.	52 Peter Wakefield,	5.
15 John Watson,	8.	53 Lionel Roulston,	6.
16 John Hodgson,	9.	54 Wm. Hodgson,	7.
17 Robert Moor,	1500.	55 Richard Wilbore,	8.
18 Richard Grave,	1.	56 Robert Farnell,	9.
19 Tho. Huntingden,	2.	57 Edmund Tyas,	1540.
20 Wm. Wakefield,	3.	58 John Skipton,	1.
21 Henry Austwick,	4.	59 Tho. Austwick,	2.
22 Thomas Smith,	5.	60 John Wakefield }	3.
23 William Purser,	6.	and Rob. Farmer, }	
24 Robert Ward,	7.	61 Allen Airey, -	4.
25 Dionis Austwick,	8.	62 William Hodgson,	5.
		63 John Atkinson,	6.
		64 John Hodgson,	7.
		65 Richard Wilbore,	8.
		66 Tho. Wakefield,	9.
		67 William Norton,	1550.
		68 Allen Airey, -	1.
		69 Robert Robinson,	2.
		70 Thomas Holgate,	3.
		71 Richard Wilbore,	4.
		72 Tho. Edrington,	5.
		73 John Oldfield,	6.
		74 Boniface Savage,	7.
HENRY VIII.			
26 Thomas Cook,	9.	QUEEN ELIZABETH.	
27 Thomas Ellisley,	10.		
28 Robert Gibson,	11.		
29 John Hodgson,	12.		
30 Henry Butler,	13.		
31 John Strother,	14.		
32 Thomas Ynce,	15.		
33 William Purser,	16.		
34 John Illingworth,	17.		
35 Thomas Smith,	18.		
36 William Hodgson,	19.		
37 Roger Chapman,	20.		
38 John Grave,	1521.	75 Richard Wilbore,	8.
39 William Nelson,	2.	76 Tho. Austwick,	9.
40 William Purser,	3.	77 Stephen Eldsley,	1560.

QUEEN ELIZABETH.		117 John Frank,	1600.
78 Rich. Wilbore,	1561.	118 James Moore,	1.
79 Rowland Savage,	2.	119 John Bramhall.	2.
80 John Skipton,	3.		
81 Tho. Holgate,	4.	JAMES I.	
82 Leo. Healsugh,	5.	120 Tho. Chastel,	3.
83 P. Etherington,	6.	121 Josh. Wakefield,	4.
84 John Skipton,	7.	122 John Skipton,	5.
85 Richard Wilbore,	8.	123 Tho. Stable,	6.
86 Boniface Savage,	9.	124 Peter Rodgers,	7.
87 Tho. Wakefield,	1570.	125 William Tatham,	8.
88 P. Etherington,	1.	126 Allen Austwick,	9.
89 P. Etherington,	2.	127 Wm. Bywater,	10.
90 W. Colebeck,	3.	128 Rich. Thwaits,	11.
91 Peter Skelton,	4.	129 Rich. Bullock,	12.
92 Boniface Savage,	5.	130 Josh. Wakefield,	13.
93 P. Etherington,	6.	131 John Frank,	14.
94 Ralph Airie,	7.	132 Wm. Tatham,	15.
95 John Skipton,	8.	133 John Eastwood,	16.
96 John Eldsley,	9.	134 Leonard Ward,	17.
97 Wm. Colebeck,	1580.	135 Wm. Wilkinson,	18.
98 Thomas Crosby,	1.	136 Peter Skipton,	19.
99 Edward Rusby,	2.	137 Tho. Austwick,	20.
100 Robert Cook,	3.	138 Tho. Raisin,	1.
101 Henry Farnell,	4.	139 William Oates,	2.
102 Rich. Thwaits,	5.	140 Stephen Cowper,	3.
103 Wm. Savage,	6.	141 Tho. Hitchin,	4.
104 Henry Farnell,	7.	142 Maxim. Adams,	5.
105 Boniface Savage,	8.		
106 Allen Austwick,	9.	CHARLES I.	
107 Richard Thwaits,	1590.	143 Rich. Clement,	6.
108 John Bramhall,	1.	144 Edward Rusby,	7.
109 Tho. Robinson,	2.	145 Robert Moore,	8.
110 Wm. Stable,	3.	146 Matt. Hardwick,	9.
111 Allen Austwick,	4.	147 Rob. Moore & } 1630.	
112 W. Bywater,	5.	Maxim. Adams,	
113 Henry Farnell,	6.	148 Wm. Tatham,	1.
114 Rich. Thwaits,	7.	149 Wm. Oates,	2.
115 Wm. Savage,	8.	150 Leonard Ward,	3.
116 Allen Eldsley,	9.	151 Tho. Hitchin,	4.

CHARLES I.

159 Nich. Stable,	1635.
153 Maxim. Adams,	8.
154 Robert Frank,	7.
155 Tho. Wilkinson,	8.
156 Tho. Austwick,	9.
157 John Tatham,	1640.
158 John Wilkinson,	1.
159 Richard Oates,	2.
160 Jarvis Shillito*,	3.
161 Ditto, - -	4.
162 John Skurt,	5.
163 John Ramsden,	6.
164 Edward Field,	7.
165 Matt. Frank,	8.

CHARLES II.

166 John Cowper,	9.
167 Leonard Ward,	1650,
168 Robert Frank,	1.
169 Christ. Long,	2.
170 William Oates,	3.
171 Christ. Long,	4.
172 Richard Oates } and Rob. Moore, }	5.
173 John Ramsden,	6.
174 Robert Cowper,	7.
175 Rich. Wildman,	8.
176 John Frank,	9.
177 Nich. Stable,	1660.
178 Rich. Smith,	1.
179 Wm. Wilkinson,	2.
180 Rich. Austwick,	3.

181 Rob. Tatham,	1664.
182 Ditto, - -	5.
183 Geo. Shillito,	6.
184 Tho. Jackson,	7.
185 John Rusby,	8.
186 Francis Kellam,	9.
187 John Johnson,	1670.
188 Samuel Taylor,	1.
189 John Frank,	2.
190 Edward Holcott,	3.
191 Christ. Hayford,	4.
192 William Oates,	5.
193 Francis Farrer,	6.
194 Rich. Austwick,	7.
195 Rob. Tatham,	8.
196 George Shillito,	9.
197 Tho. Jackson,	1680.
198 William Oates,	1.
199 John Rusby,	2.
200 Ditto, - -	3.
201 John Knowles,	4.

JAMES II.

202 William Coates,	5.
203 Francis Kellam,	6.
204 Hastings Sayle,	7.
205 John Johnson } and Sam. Taylor, }	8.

WILLIAM AND MARY.

206 Peter Mason,	9.
207 William Stables,	1690.
208 Thomas Taylor,	1.

* On the commencement of the civil war, Jarvis Shillito, the mayor, fled to the castle; and it appears he continued in office during the year 1643 and 1644. Though some one of the aldermen was regularly chosen mayor, yet their civil authority within the borough, during the different sieges of the castle, was wholly annulled by that of the military.

209 Jarvis Shillito,	1692.	GEORGE H.	
210 Wm. Burgess } and John Frank, }	3.	242 W. Kitchingman,	1725.
211 Thomas Sayle,	4.	243 William Lee,	6.
212 William Braine,	5.	244 W. Kitchingman,	7.
213 Bartho. Bateman,	6.	245 John Kellam,	8.
214 Thomas Routh,	7.	246 Lawrence Fox,	9.
215 Hastings Sayle,	8.	247 W. Harvey, Esq.	1730.
216 William Coates,	9.	248 Joseph Kitchingman,	1.
217 William Stables,	1700.	249 John Kitchingman,	2.
		250 John Lee,	3.
		251 Joshua Wilson,	4.
		252 John Perfect,	5.
		253 Lawrence Fox } and John Kellam, }	6.
		254 John Stephenson.	7.
		255 William Crewe,	8.
		256 Ld. Vic. Gallway,	9.
		257 John Bruce,	1740.
		258 John Stephenson,	1.
		359 Tho. Whiteman,	2.
		360 Joshua Wilson,	3.
		361 William Lee,	4.
		262 William Drake,	5.
		263 J. Kitchingman,	6.
		264 John Kitchingman,	7.
		265 Joshua Wilson,	8.
		266 Sam. Saltonstall,	9.
		267 Joshua Wilson,	1750.
		268 William Crewe,	1.
		269 John Perfect,	2.
		270 John Bruce,	3.
		271 Richard Sugden,	4.
		272 John Bright,	5.
		273 Butler Lucas,	6.
		274 Lawrence Fox,	7.
		275 George Swiney,	8.
		276 William Perfect,	9.
		GEORGE III.	
		277 J. Kitchingman,	1760.

QUEEN ANNE.

218 Thomas Taylor,	1.
219 Sir J. Bland, Bart.	2.
220 Hastings Sayle,	3.
221 George Holcott,	4.
222 Thomas Sayle,	5.
223 Richard Routh,	6.
224 Thomas Taylor,	7.
225 John Kellam,	8.
226 George Skipton,	9.
227 Mich. Waterhouse,	10.
228 Thomas Taylor,	11.
229 Rob. Sharpass } and Wm. Coates, }	12.

GEORGE I.

230 Robert Lowther,	13.
231 William Lee,	14.
232 Hastings Sayle, } and Law. Fox, }	15.
233 William Lee,	16.
234 George Skipton,	17.
235 Thomas Mason,	18.
236 George Skipton,	19.
237 Wm Kitchingman,	20.
238 Lawrence Fox,	1.
239 George Jenings,	2.
240 John Kellam,	3.
241 George Jenings,	4.

GEORGE III.		300 Wm. Tomlinson, 1785.
278 William Lamb *, 1763.		301 John Perfect, 6.
279 Thomas Taylor, 4.		302 Thomas Taylor, 7.
280 Joshua Wilson, 5.		303 John Seaton, 8.
281 Sam. Saltonstall, 6.		304 Wm. Tomlinson, 9.
282 Tho. Popplewell, 7.		305 John Willott, 1790.
283 William Crewe, 8.		306 Thomas Taylor, 1.
284 Richard Sugden, 9.		307 William Cockell, 2.
285 Thomas Taylor, 1770		308 John Perfect, 3.
286 William Cockell, 1.		309 John Seaton, 4.
287 John Perfect, 2.		310 John Hepworth, 5.
288 Thomas Taylor, 3.		311 Wm. Tomlinson, 6.
289 William Cockell, 4.		312 John Willott, 7.
290 William Perfect, 5.		313 Grosvenor Perfect, 8.
291 Butler Lucas, 6.		314 George Alderson, 9.
292 Law. Fox, and } Sam. Saltonstall, }	7.	315 Joseph Marshall, 1800.
293 Rob. Davison, 8.		316 Thomas Taylor, 1.
294 William Perfect, 9.		317 Wm. Cockell, } and John Seaton, }
295 William Cockell, 1780.		318 Wm. Tomlinson, 3.
296 John Seaton, 1.		319 Robert Seaton, 4.
297 Wm. Tomlinson, 2.		320 John Willot, 5.
298 John Seaton, 3.		321 Joseph Marshall, 6.
299 William Cockell, 4.		

* In printing from another copy of the list of mayors, and on comparing it with the old corporation book, it was found that an error of two years had been admitted. In the old corporation book, no mayors are specified for the years 1688 and 1689, the period of the glorious revolution; so that the reader is desired to observe, that the mayoralty of John Johnson and Samuel Taylor was in the year 1690, and that of the rest in regular succession.

Parliamentary History of the Borough.

From the era of the conquest, the oppressions of the crown compelled the barons to unite in defence of their own order and privileges; and to give success to their efforts, they associated their own cause with that of the people. Hence they obtained the Magna Charta, the foundation of British liberty. The people however had no security for the punctual execution of this charter, while they were destitute of any legislative authority. During the long reign of Henry III. the charter was neglected; and the barons and the people had no other way left to enforce the observance of it, than by drawing the sword. Henry, always in need of supplies, conceded to their wishes in appearance, till he had obtained what he wanted, and then reverted again to his usual tyranny and oppression. At length the barons took the chief part of the executive power from the crown, and lodged it in the hands of a council, formed of twenty-four of their own body.

Thus, after a considerable struggle, the aristocracy seem to have triumphed, and the crown was sufficiently humbled. The aristocracy had prevailed through the assistance of the people; and the great Earl of Leicester, as well to secure his own power as to gratify the nation, adopted the expedient of summoning to parliament, two knights of each shire, and two burgesses for each borough.

Edward I. had seen the kingdom rent by the weakness and profligacy of his father's reign. Prudent to discern defects, and prompt to ap-

ply proper remedies, in his reign numerous and excellent laws were enacted; laws which gave to the House of Commons its legal origin, and which have been justly considered as the bulwarks of liberty. The Magna Charta secured the persons of Englishmen, and the law of the twenty-fourth of Edward enacts, "That no tax should be laid, no impost levied, without the joint consent of lords and commons."

From this period, knights of shires and burgesses were regularly summoned to parliament. The journals of the house incontestably prove, that as early as this reign, this borough returned members.

The contests between the houses of Lancaster and York, and the part the burgesses took in them, reduced them to such poverty, that they were unable to support their representatives; and for some reigns ceased to send any*. In the tenth and eleventh of Henry VI. writs were sent to the mayor, but the return made was, that they could not send burgesses by reason of their poverty. The borough continued without representatives till the reign of James I. who granted them "all their former liberties

* Glanville, who is probably more accurate, though his account is of less technical authority, says, "That Pontefract discontinued being a parliamentary borough from the time of King Edward I." and he adds, "That by reason of the long discontinuance of the borough, there did not appear any known usage or prescription by whom the election should be made." GLAN. p. 141. Is it not more probable, that the borough sent members *after* the reign of Edward I. than that it should *discontinue* from that period? Indeed, it would be more proper to say, that it never sent any, than to maintain it discontinued to send burgesses to parliament, as the House of Commons was only then regularly formed and assembled.

and customs, notwithstanding they had been forfeited or lost."

By whom were the burgesses or representatives chosen? None of the charters regulate or even mention by whom or in what manner, the members of parliament should be chosen. Different customs prevail in different places. In some boroughs, the members are chosen by the freemen; in others by burgesses, in possession of burgage tenure freehold; and in others by the inhabitants resident. By the charters of the Lacies, a person who possessed a toft, and paid one shilling to the lord as a fee-farm rent, is styled a burgess; and the toft thus held, was held by burgage tenure. In these charters, he who held half a toft, or any part of a toft, is declared to be free as if he held a whole toft. He who dwells in a mansion house, is declared to be as free as if he were a burgess*.

In the charter of incorporation, the burgesses only who were in possession of a burgage tenure, are invested with corporate privileges. But as this merely relates to the internal government of the borough, it does not determine who had the right to vote for members to serve in parliament. Is it improbable, that as members of parliament, at that period, received wages from their constituents, the burgesses allowed

* Does this clause justify the inference, that any respectable person, who rented a house of a burgess, was treated as if he held a burgage freehold?—that he enjoyed the same privileges and rights? Such appears to be the sense of the passage; and should it be admitted, it will follow, that every free person, every person who was not in slavery, who had a will of his own, became by residence a burgess.

the inhabitants at large to vote, in order to throw a part of the expence on them*?

In the eighteenth of James I. Geo. Skillet and Edmund Sandys, Jun. were returned the first members after the borough was restored. There is no account on record of any opposition to these gentlemen, nor how or by whom they were elected. In the general election the twenty-first of James I. the old members declined, and Sir Thomas Wentworth and Sir H. Holcroft were returned. The latter gentleman had the honour to be elected the representative of another borough; and as being doubly returned, he was under the necessity of choosing for which of the boroughs he would sit. He waved Pontefract, in consequence of which a new writ was issued, and two candidates offered. These were Sir John Jackson, and Sir Richard Beaumont. The sheriff made this return to the house, "Two days after the writ, the mayor and aldermen told him they had chosen Sir J. Jackson. Afterwards, the 11th of March, divers other aldermen told him they had chosen Sir Richard Beaumont." The sheriff returned

* For more than a century the wages of the commons were sometimes higher and sometimes lower; but in the reign of Edward III. they were fixed for knights of the shire at *four shillings per day*, and *two shillings* for a citizen or burgess. They thought this reasonable, that as they served the public, the public ought to pay them; nor had they any notion that this custom would ever be considered dishonourable and abolished. It was attended with one good effect, as it secured the attendance of members of the House of Commons; because those who did not attend from the first to the last day received no wages. The celebrated Andrew Marvel, member for Hull, was the last person who received wages from his constituents. *HEN. HIST.*

two indentures. That for Sir John Jackson was signed by the mayor, aldermen and burgesses. That for Sir Richard Beaumont by four or five aldermen, and upwards of twenty burgesses.

Sir John Jackson, though the returns of the sheriff were irregular, was permitted, if he chose, to take his seat in the house; and Sir Richard Beaumont and his friends petitioned. Sir Thomas Wentworth, the sitting member, presented the petition; and it appears from what was stated in the petition, that there was as much animosity, intrigue, and party spirit, displayed then at elections as now. The mayor, before any writ came, undertook to secure the return of Sir John Jackson. A number of recusants and Papists were brought into the town; and about forty of them were made burgesses, in order to carry the election. From this fact it appears, that the practice of making sham conveyances of burgage tenures, which afterwards prevailed in this borough, was then resorted to; and the number of burgage tenures possessed by persons who were not inhabitants, exceeded that of the resident burgesses.

When the day of election came, the mayor, and those in his interest, treated their opponents with insult. They would not permit the friends of Sir Richard Beaumont, to enter the Mote-Hall, but shut the doors against them. Sir R. Beaumont, had ground to petition against such outrageous and arbitrary proceedings. The petition was referred to the committee of privileges; and Mr. Glanville, on the 28th of May, 1624, reported for Pontefract two points. "First, who the electors. Resolved by the committee, *there*

being no charter, nor prescription for choice, the election is to be made by the inhabitants, householders, resiants. Secondly, the committee resolved, that no burgess duly chosen, and a new warrant should issue for a new choice!"

This decision must have been sanctioned by the house, as nothing is said to the contrary. According to Glanville, Sir R. Beaumont pretended that the right of election was in the freeholders resiant in the borough *only*. From this it should seem, that the resiant burgesses claimed the right in exclusion of out-dwellers. The decision of the house against both parties, shews at least, that there was then no prescriptive right or usage, either for the resiant burgesses, or for persons in the possession of a burgage freehold, to choose the members to serve in parliament. But whether the inhabitants at large did actually vote, according to this decision, is uncertain. It is also uncertain who was returned, in consequence of a new writ being issued. In the first of Charles I. Sir John Jackson and Sir R. Beaumont were returned without opposition; but the latter gentleman dying in the same year, Francis Foljamb was chosen in his place.

From this period a few neighbouring gentlemen divided the borough, and there was no contest previous to the civil wars. Henry Arthington and William White, were the representatives of the borough in the long parliament. On Cromwell becoming Protector, John Lord Lambert and Sir John Hewley were returned. In 1660 there was a warm contest, and three members were returned; they were however returned on the burgage tenure interest,

and the right of election does not seem to have been in litigation. On the 16th of May the committee reported, "That upon examination of the fact, it appeared, that Sir George Saville and William Lowther, Esq. had the greatest number of voices, and ought to sit;" and the house resolved accordingly.

In the year 1695 a similar contest arose, on the same interest. Sir William Lowther, Mr. Moncton and Sir John Bland stood candidates. The two first gentlemen were returned, and Sir John Bland petitioned, stating, "That several undue practices were used by the mayor and others, in threatening several that would have voted for the petitioner; and denying others; and by setting down several for the sitting members, who were not qualified to vote." Whether the parties came to an agreement, or whether Sir John Bland, on examination, found that he had not sufficient ground to proceed on, he withdrew his petition.

In the year 1698 a warm contest took place between John Bright, Esq. Sir John Bland, and Robert Moncton, Esq. Sir John Bland was supported by the Lowther interest, and the contest lay between Sir John Bright and Robert Moncton. The two parties seem to have been nearly equal in strength; J. Bright having seventy-two votes and R. Moncton seventy. The members returned of course were Sir John Bland and J. Bright, Esq. R. Moncton, Esq. petitioned; and it appeared from evidence produced in the committee, that one burgage had been split into four by sham conveyances, and that on both sides the most scandalous and illegal

practices had been used. It was resolved by this committee, "That the right of election was *agreed* to be in such persons as have inheritance, or freehold of burgage tenure within the said borough." The House, on the report of the committee, considered, that neither J. Bright nor R. Moncton had been duly elected, and a new writ was ordered to be issued.

The same candidates again offered, the same persons voted as before. J. Bright was again returned, and R. Moncton again petitioned. Before the petition was investigated the parliament was dissolved, and at the general election, 1701, Sir W. Lowther and Sir John Bland were returned without opposition.

These gentlemen were chosen in three short successive parliaments, and no contest arose till 1713, when four candidates offered for the borough. These were Mr. Dawney, Mr. Frank, Sir W. Lowther and Mr. Bethel. The two latter opposed the two former. After a long and violent contest, Dawney and Frank were returned, and the other two petitioned. When the petition came to be examined, it appeared, "that Robert Lowther, the mayor, and Mr. Frank, who was the recorder of the borough, and Mr. Abbot, the town's clerk, had refused to admit many legal votes for the petitioners; and had admitted many illegal ones for the sitting members. Abbot, who as town's clerk had the making up of the fee-farm book every year for the mayor, wherein the different tenures were distinguished, and all the burgages truly entered, had marked several as burgage tenants who were not so; and omitted others who were.

The committee came to the resolution, that the two sitting members were not duly elected, and that the petitioners were; which the house agreed to.

From this period the burgage freeholds were chiefly engrossed by one or two families; and these either sat for the borough themselves, or sent whom they pleased. The Lowther family had the greatest number, and of course the greatest interest. Sir William Lowther about the year 1734 sold his burgage tenures and property to William Moncton, Lord Gallway, in whose family they have continued.

At the general election, 1768, several burgesses residing in the borough, began to question the right of persons who did not dwell in the said borough, though in possession of a burgage freehold, to vote for members to serve in parliament. The burgesses residing were highly dissatisfied with the prevailing practice of making sham conveyances, and bringing men from a distance, who had no connection with the town, to vote. They stated their views and wishes to a worthy neighbouring baronet, Sir R. Winn; and he generously undertook to try the merits of the cause. He appeared in the town, and was hailed as a deliverer.

As the cause of freedom is generally the cause the people ardently espouse, this gentleman received all the popular support which could be expected. Possessed of an ample fortune, and naturally liberal and generous, he spared no expence. Before the Lion Inn a sheep was roasted whole, balls were given, and

the spirit of the party kept up by the methods generally adopted on such occasions. To indicate the downfall and political death of the *Sham interest*, the bells were muffled, and the dumb peal rung. The other candidates were W. Moncton, Lord Gallway, and H. Strachey.

When the poll commenced, the most violent and unjustifiable measures were pursued by the populace. Many out-voters were prevented from appearing and exercising what they judged their right. Numbers of sailors and others from Knottingley came to the town, and in connection with some of the inhabitants, disturbed the peace, and raised a furious riot. The houses of the mayor and recorder were assaulted; and all the windows in front wholly destroyed. Much damage was done, and the personal safety of those in the sham interest endangered. The mayor was compelled to return Lord Gallway and Sir R. Winn.

An action was brought against several of the more active rioters; and at the next assizes they were tried and convicted. Lord Gallway and H. Strachey, Esq. petitioned, stating "that the returning officer had been compelled by force to return Sir R. Winn with Lord Gallway; and that a great majority of legal voters would have presented themselves, and voted for Mr. Strachey, if they had not been intimidated by the violence of several hundred rioters, armed with bludgeons and other offensive weapons." When the matter of these petitions came to be tried at the bar of the house, the house resolved, "That the counsel be confined to proceed only upon the allegations of the said petitions, which

complain of the freedom of the said election being disturbed by rioters." After hearing counsel and examining witnesses, the election was declared to be void; and a new writ was ordered to be issued.

On this determination of the house, a gentleman in the lobby, who had been searching the journals of the house, and had met with Glanville's report concerning Pontefract in the year 1624, said, "That the right to vote was neither in the burgesses resident, nor non-resident; but in the inhabitants, householders resident." Some gentlemen, warm in supporting Sir R. Winn's interest, on hearing this, took new spirit; the journals were examined, and the report found to be as stated.

Having taken the opinion of counsel and of friends, the worthy baronet posted down; and, together with his brother Mr. Edward Winn, offered himself a candidate to represent the borough, on the right of the inhabitants. Lord Gallway and H. Strachey, Esq. again stood on the burgage tenure interest; and were of course returned, as the mayor, the returning officer, was obliged to make the return in the usual manner*. Sir R. Winn and his brother now became the petitioners, together with certain in-

* By 7 and 8 Will. III. cap. 7. § 1. it is enacted, "That, in case any person or persons shall return any member to serve in parliament, for any county, city, borough, cinque-port, or place, contrary to the last determination in the House of Commons of the right of election in such county, city, &c. such return so made shall be adjudged to be a false return."

This made the last determination of the house binding on returning officers.

habitants, householders, in their interest, Dec. 14, 1768, on the ground of the resolution in the year 1624.

At this period election causes were referred to a committee of privileges and elections; and rejected or confirmed by the whole house. From this it is evident, that whatever might be the merits of the cause, the candidate who had a majority of the house in his favour, would be triumphant. In most election litigations the house did not so much consider the justice of the claims as to what party the candidates belonged. If the sitting members were in the interest of the ministers their right was almost uniformly established; and the claims of the petitioners disregarded. If, on the other hand, the petitioners were on the side of the ministry, their claims were established, and the sitting members rejected. In short, to bring in the favourite candidate, and strengthen the majority by a new voice, every fence of law, justice, and even decency was broken down.

Sir R. Winn waited on the Duke of Grafton, the minister, who referred the case to the law officers, and was favourably inclined to it; but the duke going out of office, Lord North succeeded as Chancellor of the Exchequer. Sir R. Winn waited on this gentleman, who assured him that he was also favourable to the claim of the inhabitants of Pontefract, but observed, that he could not take it up as a ministerial measure. He recommended to this gentleman to make what interest he could by personal application to the members of the house, that when the petition came to be considered they might un-

derstand the grounds of it. The worthy baronet not having been in the house, his personal interest with the members was inconsiderable; nor could he, after every possible exertion, succeed in procuring that attention to his cause which its merit deserved. The hearing of the petitions was by repeated adjournments put off to Feb. 6, 1770.

By an act of the second of George II. the *last determination* of the house respecting controverted elections was rendered final*. When the petition came to be considered, a doubt arose how far the entries in the two journals of May 28, 1624, were to be considered as the last determination of the house, within the meaning of the act of George II. counsel was heard to that point, after which, "A motion was made, and the question being put, the two entries of the 28th day of May 1624 of resolutions concerning the right of election for the borough of Pontefract, appearing in two several journals, be admitted to be read to the counsel at the bar, as the last determination of the house, touching the legality of votes for members to serve in parliament for that borough; the house divided, and it passed in the negative, 161 to 32." On this the counsel for the petitioners desired that leave might be given to withdraw their petitions, but this was objected to by the counsel on the other side, who desired to offer evidence to

* The clause of the statute runs thus, "That such votes shall be deemed to be legal which have been so declared by the last determination in the House of Commons, which last determination concerning any county, shire, city, borough, cinque-port, or place, shall be *final to all intents and purposes whatsoever*, any usage to the contrary notwithstanding."

establish the right of election. The house resolved, That the petitions should not be withdrawn. The counsel for the petitioners declined giving the house further trouble. The counsel on the other side examined a witness to prove the right to be in the freeholders of burgage tenure; and produced several returns to shew that the elections were made by the mayor and burgesses. They then read the entries in the Journals of 17th Jan. 1699—1700, and of 24th of March 1715—16, on which the house came to a resolution determining the right as follows:

6 February, 1770. Resolved, "That the right of election for members to serve in parliament for the borough of Pontefract, in the county of York, is in persons having within the said borough a freehold of burgage tenure, paying a burgage rent."

Thus after an arduous struggle, and after having spent a sum of money equal to what might have supported a contest for the county, the burgage interest appeared to be more firmly established, by the efforts which had been made to overturn it. It did not seem probable that any future attempt would be made on the right of the inhabitants. Their cause appeared now to be hopeless and desperate; nor was there the least probability that it would ever be established.

In the year 1770 the Grenville act was passed. By this act a committee is appointed by ballot, to consist of fifteen members, to settle controverted elections, two of which are nominees. This committee has power to examine

witnesses on oath; to hear counsel; and its decision is final. The committee being chosen by ballot, the minister cannot avail himself of his majority to support the candidate in his interest. As the appeal to the house, hitherto allowed, is taken away, no undue influence can be used; for the committee, it is probable, will consist of men of different parties; and the merits of the cause, it may be presumed, and not the men, will regulate its determination.

At the general election in 1774 Sir R. Winn, though strongly solicited by the inhabitants, and by his friend, the Hon. C. Fox, declined offering himself as a candidate, on the right of the inhabitants. The expences he had already incurred, and the probability that he would not succeed, appear to have induced him to adopt this determination. The Hon. C. Fox and his friend James Hare, Esq. then offered themselves on that right. The other candidates, on the bur-gage interest, were Sir J. Goodricke and C. Mellish, Esq. These were of course returned, and the other gentlemen, with some of the inhabitants, petitioned. Their petitions were referred to a committee under the Grenville act; which met and took the petitions into consideration, on the 1st of March, 1775.

The two petitions being read, it appeared, that the only question in the case was the right of election in the borough of Pontefract; and whether a resolution of 1624, or one of 1770, was to be considered as the last determination in the House of Commons, within the meaning of the statute of George II.

After some dispute among the counsel whe-

ther any, or which, of those two resolutions should be read, the committee agreed, that both should be read; and the counsel of the petitioners maintained that as the resolution of 1624 was the last determination of the house in 1729, when the statute of George II. passed, no subsequent act of the house can annul it: for that statute is binding on the House of Commons, and every last determination is to be considered as incorporated with, and making part of, the statute, as much as if it was therein recited.

By giving a history of all the contests, the counsel contended that there had been no resolution, no determination of the house on the right of election; nothing but the *agreement* of parties; and neither the agreement of parties, nor even the resolution of a committee, unless ratified by the house, can alter the law of elections.

The counsel for the sitting members contended that the resolution in 1770 was the last determination of the house; and that the right of election was not finally settled till then. They endeavoured to invalidate the resolution as stated in Glanville's reports; and contended from the charters of the Lacies that the burgesses had always enjoyed the right. They argued from the returns, that the mayor, aldermen and burgesses only had a right to vote; and which right they only had exercised.

In reply the counsel for the petitioners maintained, that the charters of the Lacies do not contain any regulation touching the right of election; so that though they had been known

to the committee in 1624, their judgment would have been the same; and that their hypothesis is still true, there was *no charter for choice*. They concluded by observing, "That if the committee should decide on the present occasion as the house did in 1770, the decision will not bind any future committee, nor annul the rights of the inhabitants; which, as they depend on an act of parliament, and are secured by it, cannot be taken away by the determination of any particular case like this, but will be still as valid as ever on a new election."

On Friday, the 3rd of March, the committee, by their chairman, informed the house, that the two sitting members were duly elected. This determination, while it seemed to perpetuate the hurgage interest, dispirited the friends of the popular cause, and nearly led them to relinquish it as an impracticable attempt.

At the general election in 1780, though urgent application was again made to Sir R. Winn, he continued to adhere to the opinion he had before formed, and refused to stand. Several neighbouring gentlemen were also solicited, but none could be found who would again stand on the right of the inhabitants. At this time a deputation of the town proposed the business to J. Smyth, Esq. but having no knowledge of the nature of their claim, he also declined. Lord Gallway and Mr. Needham were returned without opposition.

The application which had been made to J. Smyth, Esq. led him to investigate the nature and grounds of the claim of the inhabitants of this borough. The result of this investigation

was, that he was fully satisfied, "That the right of election was in the inhabitants, householders resident." Lord Gallway accepted the envoyship to Munich, in the year 1783, and in consequence vacated his seat. No opposition was expected; and it was then supposed that the popular cause would be finally abandoned. A gentleman or two, who had been hitherto most active in the attempts which had been made to obtain the freedom of the borough, consulted what was now to be done, but could not determine to whom to apply, or in what manner another effort should be made. One of these, without informing any person of his intention, rode over, and again applied to J. Smyth, Esq. The answer of this gentleman was favourable; and he engaged, that in case his friends in London, to whom an express was sent, were of his opinion, he would offer himself as a candidate. The express returned before the day of election, and his friends encouraging the attempt, his steward was sent before to announce his approach to the town. The bells rung, and the inhabitants instantly assembled. Nothing could exceed their enthusiasm when they found that this gentleman had undertaken the cause of their freedom and liberties.

On the burgrave interest J. Smith, an East India Director, was proposed, and returned by W. Tomlinson, Esq. mayor. J. Smyth, Esq. polled a few of the inhabitants, and petitioned. The period when this petition was presented was auspicious. Mr. Pitt, by his commanding eloquence, had roused the spirit of the nation in favour of a parliamentary reform. The con-

duct of the house, during the American war, furnished unanswerable arguments to prove the corrupt influence which prevailed; and numbers of liberal and well informed gentlemen met in the different counties to consult on the measures necessary to be adopted in order to obtain a reform*. Many members of the house advocated the cause; and it was generally hoped that a temperate reform would have been effected.

Such being the spirit of the country, and of numbers in the House of Commons, when the petition was heard before a committee, April the 8th, the more attention was paid to it; and the counsel ably and forcibly supporting it, on the 11th the committee decided that J. Smyth, Esq. was duly elected, and he took his seat accordingly. When the news of this triumph was received in the town, the people were transported with joy; and indulged their feelings by public rejoicings of every kind. On the return of J. Smyth, Esq. into the country in summer, he came to congratulate his constituents on their triumph in the establishment of their just rights. He was received with every possible mark of respect; and scenes of festivity and merriment succeeded each other, till the ebullition of the popular mind gradually subsided into the tranquil emotions of gratitude and self-satisfaction.

* It deserves to be recorded to the honour of Lord Gallway, "That in different county-meetings, he declared his readiness to relinquish his interest in the borough of Pontefract, provided other noblemen and gentlemen would relinquish theirs. His Lordship's proposal met with the warmest approbation among the friends of reform; but not one borough proprietor followed his noble and patriotic example." See WYVILLE'S Tracts, &c.

At the dissolution of Parliament in 1784, J. Smyth, Esq. Col. Sutherland and Sir R. Winn, offered themselves on the right of the inhabitants. The two former gentlemen had canvassed the town before the worthy baronet made his appearance. He had not even given the least hint, that he intended to offer himself; nor had he engaged any law-agent. He met with such support, as to leave no doubt what would have been the event, had he commenced his canvas as early as the other gentlemen. The two former were returned by J. Seaton, Esq. mayor, on the right of the inhabitants; and the Honourable W. Cockayne and J. Walsh, Esq. stood on the burgage interest, and petitioned against the legality of the return. In June the petitions came before a committee, which after hearing counsel, who entered into the same arguments as before, decided that the return was legal; and the members enjoyed the possession of their seats in peace.

In the year 1788, an act passed to amend the Grenville act, respecting the trial of controverted elections. By this act, where the right of election is in dispute, the parties are allowed to petition; and if the committee decide against the petitioners, an appeal is to be made within twelve months; a committee is again to be formed, and its decision is to be conclusive, binding and final. Previous to this act there was no law to put an end to petitions and contests; and though a committee had decided a case against the petitioners repeatedly, still the house might be pestered with fresh petitions on every new election. Finally to settle

disputes of this kind, and with a particular reference to the case of Pontefract, was this act brought in and passed.

The general election in 1790 brought forward the old members again on the same right; and Lord Gallway, to the surprise of all his friends, also offered himself on the same right. J. Anstruther, Esq. and C. Mellish, Esq. stood on the burgage interest. The late members were returned; and the two last gentlemen, as usual, petitioned. On the first of March, 1791, a committee was appointed, and the petitions taken into consideration. Counsel for the petitioners defended the burgage right by the same arguments which had been on a former occasion produced; and the counsel for the sitting members in like manner answered them. On the 8th of March the committee decided in favour of the inhabitants.

In June 1791, J. Smyth, Esq. vacated his seat, by accepting the office of one of the lords of the Admiralty, and was returned without opposition, except from the burgage interest. J. Walsh, Esq. in right of his burgage freehold, petitioned; and as this was the last time the subject could come before the house according to the provisions of the above-mentioned act, every possible effort was made to establish the burgage right. Owing to a pressure of public business, the hearing of the petition was put off till February 1793. On the 19th of that month the committee sat, and continued till the 27, when after the fullest investigation, it was again decided in favour of the inhabitants.

The counsel for the petitioners established

by the clearest evidence, that from the year 1624, till the late decision, persons possessing a bur-gage freehold had claimed and exercised the right of voting, and that the inhabitants, house-holders resiant, had not in one instance exercised that right, nor had they claimed it prior to the year 1770. They could however produce no proof that persons in possession of a bur-gage freehold, exclusively enjoyed and exercised that right prior to the year 1624, nor could they prove that the right of election had been litigated after the above period, till the act of George II. which makes the last determination of the house of commons finally decisive respecting the right of election. The whole efforts of the counsel were directed to invalidate the decision of the house in 1624. The counsel for the sitting members replied, and with much force and perspicuity stated the circumstances respecting the resolution of the house at the above period, and clearly demonstrated, that no subsequent usage ought to establish a right, and according to the constitution of parliament could not. They maintained, that the determination of the house in 1770, though last in point of time, yet that in 1624 was last when the act of George II. passed, and consequently that the committee was bound to consider the right of the inhabitants as fully and legally established.

Thus after a ten years contest, a contest which cost large sums of money to both parties, did the inhabitants see their cause finally prevail, and their rights and liberties firmly and unalterably established.

In 1794 J. Smyth, Esq. vacated his seat by accepting the office of one of the lords of the Treasury, and was reelected without opposition from any quarter.

The general election in 1796 brought forward Lord Gallway. The long connection of his Lordship's family with the borough; the liberality of the family to the inhabitants; as well as his Lordship's property, gave him a considerable interest, and Col. Sotherton judged it most prudent to decline offering himself as a candidate. In consequence of this his Lordship and the Hon. J. Smyth were returned, May 30th, without opposition.

At the general election 1802, Lord Gallway declined, and R. Benyon, Esq. offered on his interest. The Hon. J. Smyth stood again. After these gentlemen had commenced their canvas W. Wrightson, Esq. offered himself as a candidate. He was supported by several neighbouring gentlemen; but finding when he had finished his canvas that he should not succeed, he declined previous to the poll commencing. The two other candidates were of course returned.

At the general election in 1806, R. P. Milnes, Esq. supported by Lord Gallway's interest, offered himself, together with the Hon. J. Smyth. No opposition was at first expected. From a concurrence of circumstances, a third candidate at length came forward, the son of the ancient and noble family of Saville. His Lordship's connection with the volunteer corps rendered him a formidable opponent. Although he had the disadvantage of commencing his can-

was after the other two gentlemen had nearly finished theirs, yet he met with considerable support; and the assurance his Lordship received from such as had previously promised their votes, rendered it certain what would have been the result, had he offered himself earlier. The contest chiefly lay between his Lordship and the Hon. J. Smyth. After a warm and violent contest, and carried on till his Lordship had not a man to poll, the old member, together with R. P. Milnes, Esq. was returned. The number of votes stood as follows, Lord Pollington 324, R. P. Milnes, Esq. 484, Hon. J. Smyth 371,

At the general election in 1807, the same candidates again offered for the borough. Flattered by the reception he had before met with, Lord Pollington again came forward; and becoming the popular candidate, nearly received a vote from every one of the electors. The contest being between the two late members, as might be expected, was arduous and sufficiently violent. The two parties were nearly equal in strength; the one being supported in general by the tenantry of Lord Galloway, and the interest which his own respectable family, residing near the town, naturally creates; the other by the attachment of old friends, and the important services he had rendered to the borough. Every art, usual on such occasions, was tried by each party to turn the popular mind, and bring the struggle to a successful conclusion. At last the poll commenced, and during the first day the two parties kept so near to each other, that there was only a difference of one vote at the conclusion. The next day the battle was equally

well fought; and when the poll closed, R. P. Milnes was only nine a head of his opponent. He and Viscount Pollington were returned.

Thus terminated the arduous struggle; and the Hon. J. Smyth, who by his persevering exertions had secured to the inhabitants their rights, after having been in parliament twenty-three years as their representative, found himself the unsuccessful candidate. This event did not arise from want of attachment in his friends, but from circumstances which no prudence could avoid, nor any influence counteract. In the course of twenty years a new race had sprung up; many strangers had come to reside in the borough; and it is natural to suppose that these would not feel all the respect for the old representative which his tried friends might wish. In short these being wholly indifferent to past transactions, were ready to give their votes as their connections, prejudices, or expectations might influence.

The friends of this gentleman have testified the highest respect for his past services; and so long as fair freedom is esteemed the Englishman's birth-right, so long as the elective franchise, shall be deemed a privilege; so long will the name of Smyth be associated with freedom in the borough of Pontefract.

The following is a list of the Members returned for Pontefract.

16th JAMES I.

1620, George Skillet,—Edmunds Sands, Jun.

21st JAMES I.

1624, Sir Tho. Wentworth,—Sir John Jackson.

1st CHARLES I.

1625, Sir John Jackson,—Sir Rich. Beaumont.

1st CHARLES I.

26, Sir John Jackson,—Francis Foljambe.

3rd CHARLES I.

29, Sir John Jackson,—Sir John Ramsden.

15th CHARLES I.

40, Sir John Ramsden,—Sir G. Wentworth,

16th CHARLES I.

41, Sir George Wentworth, (Wolley)—Sir G.
Wentworth, (of Wentworth House,)

46, Henry Arthington,—William White.

11th CHARLES II.

58, John Lord Lambert,—John Hewley *,

60, Sir Geo. Saville,—William Lowther,

61, Sir John Dawney,—William Lowther,

78, Sir John Dawney,—Sir Patientius Ward,

81, Sir John Dawney,—Sir Patientius Ward,

85, Lord Downe,—Sir Thomas Yarborough,

88, Lord Downe,—Sir Thomas Yarborough,

90, Sir John Bland,—Henry Downe,

95, Sir William Lowther,—Robert Moncton,

98, John Bright,—Sir John Bland,

1701, William Lowther,—Sir John Bland,

2, William Lowther,—Sir John Bland,

5, William Lowther,—Sir John Bland,

8, William Lowther,—Sir John Bland,

10, Robert Frank,—Sir John Bland,

13, Robert Frank,—John Dawney,

14, Hugh Bethel,—Sir William Lowther,

22, John Lowther,—Sir William Lowther,

27, John Lowther,—Sir William Lowther,

34, Lord Gallway,—Sir William Lowther.

* The above list is taken from Willis's *Noctitia Parliamentaria*.

- 1741, Lord Gallway,—George Pitt,
 47, William Moncton,—George Pitt,
 54, Lord Gallway,—Sambroke Trueman,
 61, Lord Gallway,—Wm. Gerard Hamilton*,
 68, Lord Gallway,—Henry Strachey,
 74, Sir John Goodrick,—C. Mellish,
 80, Lord Gallway,—William Needham,
 83, J. Smyth,——————
 84, J. Smyth,—Colonel Sotheron,
 90, J. Smyth,—Colonel Sotheron,
 96, J. Smyth,—Lord Gallway.
 1802, J. Smyth,—R. Benyon,
 6, J. Smyth,—R. P. Milnes,
 7, R. P. Milnes,—Lord Pollington.

RELIGIOUS SECTS.

Within this town there are the usual and prevailing denominations of professing christians, —Catholics, Dissenters, Wesleyan Methodists, and a society of friends, commonly called Quakers.

Catholics

Several ancient families, respectable for their property in this neighbourhood, maintained an unshaken attachment to the catholic cause, tho' exposed to all the rigour of the penal statutes; and when the lenient and tolerant spirit of the age, outrun that of the law, the Catholics emerged from their obscurity, and assembled to worship according to their own modes and opinions. They ventured publicly to address the Virgin-

* From the restoration the list is taken from Wentworth; and the remainder from the journals.

Mother, and to revere the hallowed relics of past ages; to offer the sacrifice of the mass, and again to celebrate their holy mysteries*.

Their number in this place has never exceeded thirty or forty persons. Their place of worship, till lately, was a room in the house occupied by their teacher. They have now erected a place of worship on a more enlarged scale; and adapted to all the peculiar ceremonies of their worship†. The building is a neat structure, and its interior well finished.

Protestant Nonconformist Dissenters.

The rise of the Dissenters, as a distinct body, dates from the time when the Act of Uniformity was passed. A considerable number of the clergy, who then filled the churches, were either Presbyterians or Independents; and were thus denominated from their opinions respecting the nature of a christian church, and the mode of its government. The former of these maintained, that in the New Testament the terms bishop, elder, or presbyter are applied to the same person, and that there is no proof of a bishop enjoying any superior sanctity or

* In the year 1791, an act was passed to repeal the penal laws against this body, and to allow the general privileges of other sects, on taking certain prescribed oaths.

† The ground on which this building has been erected is in old deeds, called *Holywalls*. As in the times of the Saxons, lands were often held of the church, on the condition of the tenant keeping the church in repair &c. is it not probable, that this land was held by such a tenure? That the proprietor was bound to keep in repair the holy walls, i. e. the church? It was either held by such tenure, or otherwise it has been the site of some religious house.

authority over the presbyter, while the church continued separate from the state. They contended, that there ought to be no difference of rank among the clergy; and that the church ought, according to scripture and the purest ages, to be governed by provincial synods and a general assembly. The Independents agreed with the Presbyterians on all subjects, except the last. They maintained that each christian society had a right to choose its own minister, and to regulate its interior affairs, unawed by any superior influence, and without being amenable to any earthly tribunal.

On passing the Act of Uniformity, * those who held these opinions could not in conscience comply with the provisions of the act; and were therefore compelled either to make a false declaration, or finally to leave the establishment. They chose the latter, and on the 24th of August, 1662. two thousand clergymen quitted their livings, and voluntarily submitted to poverty, disgrace and persecution, rather than subscribe to declarations they did not believe. No other age, no other country, ever witnessed

* This bill was hastily brought into the house, and obsequious as the parliaments of Charles were, it met with such violent opposition, that every exertion of the crown, and all the direct and indirect influence which could be used, was found necessary in order to get it through the House of Commons. At last this act passed in the House of Commons, by a majority of only six, the *yeas* being 186, and the *noes* 180.

The reader who wishes to know how far the object of this act has been attained, may consult Archdeacon Blackburne's Confessional; Overton's "True Churchman ascertained," and the publications to which this work has given rise within these few years past.

such a sacrifice of interest to principle; and while the love of truth, honour, integrity and liberality is cherished, these men cannot fail to receive their due measure of praise.

The Rev. Joseph Farret, who had laboured for some years, in the church of St. Giles' here, was one of the respectable number of seceders from the establishment. Though far advanced in years, Calamy says, "He was a constant, laborious preacher, of competent gifts and learning." He had an excellent library, and though on quitting the church he was reduced to great straits, like most men of letters, he chose to part with any thing rather than his books. He met with a kind friend in a Mr. Ward, who resided in the old mansion, called the court, in Tanshelf, in which township he also enjoyed a considerable estate. Under his hospitable roof Mr. Farret, and those Christians who adhered to him, met to worship God according to the opinions they held respecting the nature of a christian church.

This respectable scholar and divine, worn out with labour, was the year following removed out of a tempestuous world to a state of rest. He died in the sixty-fourth year of his age.

The little society he had formed, and to which he had preached during the last year of his life, still subsisted and remained firm to its principles after his demise. The Rev. J. Noble succeeded him as minister; and continued to labour among them as much as the persecuting spirit of the times would permit*, for the space

* From the restoration of Charles II. to the revolution, the Dissenters were persecuted with a severity which will re-

of sixteen years. He died Feb. 11, 1679, aged sixty-eight years. Calamy gives the following account of him: "He was born at Askeby, in the parish of Holden, 1611. He was admitted at *Christ Col. Camb.* in 1630. In 1687 he was minister at Whitgift. In 1646 he removed to Smeaton, where he continued till the Act of Uniformity. He was an excellent, useful, and a solid divine; a man of a happy memory, great presence of mind; and ready wit; a mighty opposer of the factions and tumults of the times. He was an excellent disputant, and never lost or disparaged his cause or reputation by ignorance or passion.

He was succeeded by the Rev. J. Heywood, the younger son of the great and good Oliver

Next disgrace on the intolerant spirit of the age. Some thousands lost their lives in prison; and the loss of property which they sustained by legal processes and fines, amounted to the sum of *two millions*.

The Dissenters here had their share in the common calamity. The Castle Chain House was then used as a prison, and several were confined there for daring to claim and exercise, what every liberal man, whether in or out of the establishment, now admits, the right of private judgment. Tradition has handed down, that one of the Medleys, who had a large family, was confined there at the time William and Mary landed. The news of this event rapidly spread through the country, and a brother of the above-mentioned gentleman, went down to Ferrybridge, to obtain further intelligence. While he remained there an express arrived, offering the prisons to be opened, and all persons confined on account of religion, immediately to be set at liberty. The good man instantly kneeled down on the bridge to return thanks to heaven, for a favour so interesting to himself, his friends and his country.

This family, which has nearly become extinct here, will probably be perpetuated in the descendants of the late Rev. S. Medley, of Liverpool.

Heywood; whose persecutions were severe, whose piety and worth are not often equalled; who was generally and justly beloved, and for whom providence almost miraculously provided*. During the time of his son's ministry he occasionally preached for him, as appears from his own diary. His son John came here from Rotherham, but how long he continued his ministerial labours is not known. Tradition has handed down the fact, that he died here; and was buried in the old Dissenting Meeting-house. It is probable, from the period his successor laboured in the ministry, that his death may be referred to the year 1720.

The Rev. ——— Stamford followed him; a gentleman whose knowledge rendered him dear to his own hearers, and justly respected by all who knew him. In his time the Dissenters were considerable in their numbers, and respectable in point of property. The families of Lapidge†, Waterhouse, Kiplin, and others belonged to this body. This respectable divine died in the year 1746.

For some time the congregation was destitute of a pastor. At length the Rev. ——— Coppock came, and was chosen to be their teacher. This gentleman had received a liberal

* The lineal descendant of this great man, is Sergeant Heywood, of Nottingham; and the respectable family of Heywoods, at Wakefield, spring from his brother Nathaniel. See his life by Fawcett.

† John Milnes, of Wakefield, merchant, married Elizabeth, daughter of Richard Lapidge.—Ester Lapidge, the second daughter, married the Rev. Isaac Wilkinson, Dissenting minister, at Warley, near Halifax, and ancestor to the present Isaac Wilkinson, of Tapton House, near Chesterfield, banker. Ann, the third daughter, married to John Kiplin, of Ackworth, gentleman.

education; and as a scholar had the esteem of those who knew him. He embraced the theological sentiments of Socinus; and for a period of thirty-six years he preached and defended them. He lived to see, that these sentiments, though considered as most consonant to reason, are not the best calculated to reform the profligate, to promote a spirit of warm and lively devotion, or to increase a congregation. This gentleman found a respectable congregation, and he preached it away. He died in 1782, and had only two or three families who attended his ministry.

On his demise; some persons who had embraced those sentiments generally called evangelical, united together in order to obtain a Dissenting teacher of similar sentiments with their own. They repaired the old meeting-house, which had fallen into decay; and they invited the Rev. W. Tap, to take the pastoral charge over them. Accordingly he came, and continued to discharge the duties of his office till 1791, when he removed, and was succeeded by the author.

The late Harris Busk, Esq. who during the latter years of his life, usually spent the winter in this place, gave himself, and collected among his friends, a sum of money to purchase, or erect, a house for the Dissenting minister. On his demise, this money was paid in by his executor, R. S. Milnes, M. P. with which an house was purchased, and ground for the erection of a new meeting-house. In the year 1795 this structure was begun, and completed in 1796. The building is neat and well finished.

Mary Reynolds, cousin to Patience Ward,

Esq. by her will, dated the 17thth of Apr. 1721, gave to him the sum of twenty pounds, to be laid out in land, the rents and profits of which were for ever to go to the minister of the Dissenting chapel in Tanshelf; and if it should happen, that there should be no Dissenting minister to preach in the said chapel, or elsewhere in Tanshelf or Pontefract, the said rents should go to the use of the poor of Pontefract and Tanshelf, and be distributed amongst them at the discretion of the said Patience Ward, Esq. the executor of the said will, and his heirs for ever.

In complianoe with the above will Patience Ward, Esq. purchased a small close, called Carleton-Gate Close, which was surrendered to him in Tanshelf court, for the uses specified. On the back of the surrender it is observed, that the society of Dissenters, by a collection among themselves, raised above ten pounds more in order to complete the purchase, the sum bequeathed by Mrs. Reynolds not being sufficient for that purpose.

Quaker's Meeting-house.

Although the tenets of the people called Quakers began to spread abroad as early as the year 1655, through the searching and powerful ministry of Fox, Penn, Barclay and many others, yet we do not find that any building was erected in this town for the purpose of meeting, and performing public worship in, until the year 1685, when the plot of ground in Southgate, on which the present building stands,

was given by Thomas English, of this place, grocer, to John Seaton, of Blythe, Nottinghamshire, yeoman, Henry Jackson, of Tottess, in Wooldale, Richard Morton, of Woodand Hill, yeoman, Robert Clarkson, of Pontefract, grocer, Henry Calf, of Pontefract, Malster, and their heirs and assigns for ever, in trust to erect a meeting-house on, and for a burial place for the use of the members of this society.

The present remaining trustees are John Leatham, John Thistlethwaite and Joseph Johnson.

This society has been more numerous than it is at present. Several of the members have, by honest and persevering industry, raised themselves to opulence; and their general conduct, in many respects, reflects honour on their principles.

Wesleyan Methodist's Chapel.

Itinerants belonging to this body, sometime after its rise, obtained admission into the town, and soon formed a small society. They increased by degrees, and in the year 1789 laid the foundation stone of their meeting-house. This building was completed and opened April 4. 1790, by an appropriate discourse, delivered by Mr. Mather. Soon after the head of this society, the Rev. J. Wesley, visited the town, and preached in the meeting-house to a large and crowded audience.

From Pontefract the itinerants have diverged in all directions, and formed small societies in the surrounding villages. Two of the regular

preachers reside here during the period granted by the Conference, the supreme legislative body of this society. The number of the people who attend varies according to the talents of the preachers. Among the lower classes their labours have been useful here, as in most other places.

Modern state of the Town.

The town of Pontefract yields to few in the neatness of its buildings. Its streets are open and spacious; kept clean and in good repair. There being no manufactories carried on, the atmosphere is never loaded with the smoke of steam engines, and the air is uncommonly pure and salubrious.

MARKET.—The market is held on Saturday; and is well supplied with the best butcher's meat, poultry and fish. Large quantities of grain of every description are brought and sold here.

FAIRS.—The principal fairs are St. Andrew's fair, on the first Saturday in December; Candlemas fair, the first Saturday after February 13; St. Giles' fair, the first Saturday after Sep. 12; and all the moveable fairs, Palm-Sunday and Trinity Sunday to be held on the Saturday before each of these days respectively.

LAND.—The soil is in general excellent; and in the highest state of cultivation. The gardens and nursery-grounds about the town are extensive. The superfluous produce of the one is regularly carried to the populous towns of Leeds and Wakefield; and seedlings from the other are conveyed to the most distant parts of

the land. Licorice has been long cultivated with success; and Pontefract licorice cakes are well known throughout the British empire.

The population of the town, as taken in 1801, is as follows; houses inhabited 698, houses not inhabited 48, families 702, males 1394, females 1703. Total 3097. The population has increased near six hundred since the year 1764. The number of families then was 538, and of persons 2515.

Few men who have ranked high in church or state, or who have been distinguished in the annals of literature, have either been born or resided in the town of Pontefract. It is probable that no further information can be obtained than what has already been given, from Leland, respecting the monkish historian, Thomas de Castleford. Gough has noticed several particulars respecting the indefatigable antiquary Dr. Johnson, who spent the greatest part of his life here. He is said to have made large collections for the history of Yorkshire*. Where he was born, or where he ended his days, is uncertain.

Bishop Bramhall, who was Primate of Ireland, after the restoration, was born here. He rose by his learning and talents to this distinguished honour, and high station in the church. He took an active part in the contentions of Charles I. reign; and after the fatal battle of Marston

* Dr. Burton says, "that he had the use of above one hundred folio volumes relating to this county, collected by this indefatigable physician, then in the hands of R. Frank, Esq. of Campsall. Part of this collection was sent to London and sold, and the remainder are in the possession of B. Frank, Esq.

Moor, with many others, fled to the Continent. There he chiefly remained till the restoration; when he received the bishoprick of Armagh, as a reward for his fidelity and services. He died in June 1663.

The author of the Newcastle Rider, and other poems, merits notice, as an instance of native genius, without the advantage of a literary education. His name was Lun, and his occupation that of a barber. The first attempt to obtain the freedom of the borough brought his poetical talents into exercise; and his various squibs and effusions obtained considerable applause. These productions were collected together and published under the title of *Duniad*. Some of the pieces in the collection, for keenness of satire and justness of sentiment, would not disgrace the pen of a Churchill.

For persons unconnected with trade, Pontefract is a most pleasant and agreeable situation. It is surrounded by the seats of nobles and opulent commoners; and persons of small or large fortunes, may find agreeable society either in the town or neighbourhood, according to their own wishes and rank.

The state of morals, if not such as the man of piety could wish, is at least not worse than what generally obtains. The lower orders are more refined and polished than in some larger commercial towns; and are even more sober and temperate; not that they are less inclined to the usual vices of the age, but their resources are more limited and confined. The rich and the opulent invariably display the virtues of humanity, compassion and benevolence. To the

cries of the wretched they are not insensible, but objects of real distress ever meet with the most speedy and generous relief.

Improvements in morals, in internal order and government, are still wanting; and a respect for the prosperity of the place, not only prompts, but compels the acknowledgement. The decorum due to the christian Sabbath is commonly and grossly violated; and as a proper attention to the duties of this day will be found to be the best guardian of private and public virtue, it is to be wished that the respectable part of the inhabitants would sanction by their own example, and exert their influence to promote the general observance of it.

APPENDIX.

CHARTERS

BELONGING TO THE CORPORATION.

CHARTER OF ROGER DE LACY.

PERSONS present and to come, know that I Roger de Lacy, Constable of Chester, have given and granted, and by this my present charter have confirmed to my burgesses of Pontefract and their heirs and successors, their liberty, and free burgh, and their tofts to be held of me and my heirs, in fee and by descent freely and quietly, honourably and entirely,

Yielding yearly to me and my heirs for all services twelvence for every whole toft, as they did in the time of Henry de Lacy, paying a moiety of the rent at mid-lent, and a moiety at the feast of saint Michael. Moreover I have granted, and confirmed to my aforesaid burgesses, and their successors the liberties, and free-laws, which the burgesses of the Lord the king of Grimsby use, which are these, Every burgess may give or sell his land to whoever he shall please, unless to the religious (or in mortmain) the rent of the lord being reserved, and he shall enter a plea, and render the land into the hand of the headborough (or prætor) for the use of the lord; and he shall give a penny of tribute, and the headborough shall give the land to the buyer, of the gift of the lord, clear from all things, and the purchaser shall likewise give a penny. Whoever shall purchase any part of any toft, and shall have been seised thereof as above prescribed is as free as if he had bought a whole toft. If any person shall have many houses in his toft, and shall let them to any persons, they shall be free to sell and buy all merchandizes, but he shall give fourpence a year to the headborough. He who shall dwell in a mansion house shall be unmolested and free as if he was a burgess. Whoever shall commit a forfeiture in the borough aforesaid, there he shall be attached; he shall stand to the law according to the sentence (or judgment) in the borough court. But the aforesaid burgesses shall not go out of their borough for any plea or any plaint save only for pleas of the crown. When the headborough (or prætor) shall have paid the borough rent to the lord, at the feast of saint Michael, the lord shall remove him, and shall substitute whomever he shall please, but the burgesses will be the proper persons if only they will be agreeable to give as much as others.

He who hath accused another person of any Offence in a plea before the prætor, that unjustly and without reason and in peace and he shall forfeit to him, and that person shall deny the injury and not the reason and peace and whatsoever he sayed against him, that person hath given a good answer or reply. He who hath denied

the injury, or the unreasonableness or the peace, and hath not been blame worthy of any of them, he shall be tried according to the laws of the prator, and by his forieiture (or fine) he shall recover his answer (or reply.) He who shall begin to deny his words exactly for a negative, and shall not exactly deny all, he fails, and by his forieiture he shall recover his answer (or reply.) The forieiture of the burgesses if the prator shall please to aggrieve any one shall be ascertained by twelve lawful men elected for this purpose. None of the burgesses shall give his forieiture for his first default but for the second, unless he shall be able to save his ray. Every burgess shall find pledges for his own proper naam (or distres.) unless he shall have been accused of the crown of the lord the king or shall fail to make liable his proper pledge. If a servant of the prator shall have spoken against a burgess he shall not answer without a witness, If a burgess shall have been accused by his equal of bloodshed or of battery and he shall deny it, he shall swear (or purge) himself on the sixth day; if not of bloodshed he shall purge himself on the third day. If any other than a burgess shall have been accused by a burgess of the same thing, he shall purge himself on the twelfth day. Every of the burgesses whatsoever, is bound to answer another burgess without a witness and not a foreigner unless concerning an apparent fact or a debt. If a burgess shall take an oath of his equal unless it shall be relating a debt, he shall forfeit, if of another than his equal he shall from forieiture be free. If a foreigner shall take an oath from a burgess, he shall be subject to the greatest forieiture. If a foreigner shall owe a debt to any burgess, it is lawful for him on every day of the week, to take a distres (or distres) of him without the licence of the prator, unless in the fair on saint Egidius. If the naam of any burgess shall be taken upon another he shall be adjudged on the first day of the contention (or wrath) to discharge it at his own expences: but if he shall be unwilling to do it, he shall be compelled by a proper manner of wrath. He who shall carry away the lord's tithes shall be liable to forfeit in this manner; to wit, for a farthing, five shillings and a farthing; for a halfpenny, ten shillings and a halfpenny; for three farthings, fifteen shillings and three farthings; for a penny, twenty shillings and a penny, It is lawful for every one in his ground to make shops (or warehouses) whatsoever in order to acquire the ferm (or rent) of the lord. Whosoever shall deny (or recede) to any thing other than of which he shall have been accused, he shall continue in forieiture. Every burgess may bring provision and all other merchandises by water and by land, whenever he shall please, without toll and tribute, unless he shall be prohibited by the lord or his bailiffs. We are not obliged to answer any one concerning any our tenement in which we have been seized by the hand of the prator, and we have held for one whole year and a day without disturbance. If any person shall have been summoned in a plea of us whilst he shall have been elsewhere about his business, he shall be free when he returns for the days of indulgence. If any burgess shall have been accused of larceny or felony, by any person; we will try him in our borough, the lord's sergeant assisting us, concerning the law together at one time, with thirty six compurgators. If at another time he shall be accused either by battle or by water he shall purge (or clear) himself. No woman pays tribute in our borough for selling ale or beer. Moreover I have given and granted and by my present charter I have confirmed to my said burgesses of Pontefract and their heirs and successors, exemption from all toll and tribute through my whole territory belonging to the castle of Pontefract, and to the castle of Clithrow. And my aforesaid burgesses of Pontefract for this gift and grant of having and firmly enjoying their liberty have given me three hundred marks of silver. Witnesses Hubert, by the grace of our Lord, Archbishop of Canterbury, the first

Roger Pigot, William of the church of Saint Mary, William de Warren, Ralph archdeacon of Hereford, Richard de Harriett, Simon de Pateshill, Hugh Peyerell, Osbert his son, Richard of Chester, Hugh de Boby, Roger de avent, Ralph the son of Ralph, Walter de Rovrit, Allen de Sinderby. Thomas the son of Thomas, Robert le Vavaser, Aldred de Dutton, Robert Walensis, Aldred de Reineville. John de Birkin. Junnius of Lusenirs, Thomas of Reineville. Dated the sixth of the ides of June, at Westminster before the justices of Richard the lord the king in the fifth year of his coronation.

CHARTER OF ROGER DE LACY.

ALL persons present and to come, Know that I Roger de Lacy, Constable of Chester, have given and granted, and by this my present charter have confirmed to my burghesses of Pontefract, who have land in the moor. Nine score acres of arable land, and fourteen acres and an half in the moor, to hold to them and their heirs of me and my heirs, freely, quietly, peaceably, yielding therefore yearly to me and my heirs for all service, for every acre, four pence of term or rent at the feast of Saint Michael, that is to say, to Spracligenus thirty two acres; to Henricus, his son in law, four; to Erasisius, nineteen; to Helias his son, eleven; to Edwinaus, the son of Waldanus, eleven and a half; to Alexander, the son of Hereward, ten; to Matildes Ruffe, nine, to Simon, his son in law, two; to Thomas, the son of Winarias, two; to Gilbert, the son of Miraldus, thirteen; to Benedictine, the son of Raoulfus, three; to the heir of John Nobilis three; to William, the son of Aldred, and to William his son, three; to the heirs of Richard, the son of Harald, three and a half; to Aldred, the son of Aldred, six; to Sermaus six; to Astinus, the son of Stephen, three; to Simon, the son of Benedictine, eight; to Robert, the son of Sumpe, two and a half; to William, the son of Benedictine, three; to Robert, the son of John, nine; to William, the Brother of Benedictine and Robert, the son of Madulphus, three; to Rami, the son of Walter, three; to the heirs of Henricus, the clerk, six; to Henricus, the son of Hachinus, seven; to Alexander, the Headborough, one; to William, the son of Lewinus, eleven acres. These witnesses, Eustachius, the brother of the lord, (the donor) Robert Walensis, William de Lungerville, Jordanus Folliut, Gilbert de Lacy, William de Bello-Mount, Richard de Stapleton, Magrinus Reimodus, Richard, the clerk, William the son of Geronudus and others.

Henry de Lacy confirmed the above charters of Roger de Lacy.

CHARTER OF HENRY DE LACY,

HENRY DE LACY, Earl of Lincoln and Constable of Chester, to all persons to whom this present writing shall come greeting in the Lord.

Know ye that We, even at the feast of the apostle Philip and James in the sixth year of the reign of King Edward have granted and by this present writing, for us and our heirs have confirmed to our beloved burghesses, and men of Pontefract, all the sheds (or stalls) which they shall be, or their ancestors have been able to erect in the market or our waste ground of the said village, to have and to hold to our said burghesses and men and their heirs and successors of us and our heirs freely, quietly and fairly and peaceably by hereditary right forever, yielding therefore annually to us and our heirs the just and accustomed term (or rent) at the usual and accustomed times. And that we will and grant that neither we nor our

heirs nor any other in our name, any right or claim in the said sheds (or stalls) unless unto the just and accustomed ferm or rent for the time to come may exact or have, to this present charter we have caused our seal to be affixed. For this our grant and quit claim our aforesaid burgesses and men have given to us forty pounds sterling. These Witnesses the Lord Peter of Chester, Governor of Beverley, the Lord John of Bely, John le Vavesur, Alexander of Holy-Mount, William de Vavasur, William the son of Thomas, Stephen le Walensis Knights, Simon of Pontefract, Thomas Bely the then constable of the same place, Peter of Kirketon, William of Malton, Henry of Kirkeby, Nicholas of Burton and others. Dated at Pontefract the day and year above said.

RICHARD THE THIRD'S CHARTER OF INCORPORATION.

RICHARD, by the grace of God King of England and France, Lord of Ireland and Duke of Lancaster, To the Archbishops, Bishops, Abbots, Priors, Dukes, Earls, Barons, Justices, Sheriffs, Eschaetors, Officers, Ministers, and to all his bailiffs and faithful subjects greeting,

Appointment of mayor, free borough and same liberties as Stamford.—Know ye that We, not only for the love and affection which we have and bear for our village and borough of Pontefract, and for our beloved and faithful bailiffs and burgesses of the same, but also recollecting the many free and acceptable services heretofore done us at considerable cost and charge, and being desirous to reward them in a proper manner, out of our certain knowledge and mere motion have ordained, constituted, appointed and made our beloved subject John Hall, one of the burgesses of the said village or borough, the mayor of the said village or borough, and of our special grace we have granted and by this our present writing have confirmed for us and our heirs to them the mayor and burgesses of the said village or borough for ever, these liberties, franchises, remunerations and immunities hereunto written; that is to say, that the borough be from henceforth a free borough in reality and name to consist of a mayor and burgesses, and that the said mayor and burgesses and their heirs and successors be free burgesses, and may have a merchant's guild, and use and enjoy the same liberties and freedoms in the said borough, which the burgesses and inhabitants of the village or borough of Stamford have heretofore used and enjoyed and use and enjoy.

Mayor and burgesses a body corporate, may purchase, plead and be impleaded.—Moreover we will and grant by these presents for us and our heirs, that the said present mayor and burgesses, and their successors aforesaid being mayor and burgesses of the village or borough of Pontefract, thus incorporated, be a body corporate for ever, in reality and name, by the name of the mayor and burgesses of the village or borough of Pontefract; and that they may have perpetual succession, and that the said present mayor and burgesses and their successors aforesaid by the said name, may be persons fit and capable in law to purchase lands, tenements, rents, services and possessions whatsoever; and to prosecute and defend all and singular pleas, suits, complaints, demands, actions real, personal and mixed, now depending or to be depending in any of our courts whatsoever, or of our heirs or of any other persons whatsoever, as well before us and our heirs as before any justices and judges whatsoever spiritual and temporal, and that in the same they may plead and be impleaded, may answer and be answered.

Common seal, and thirteen comburgesses to be chosen on Michaelmas day, one of

which to be mayor, &c.—And that they may have a common seal for the business of the village or borough aforesaid, to be made use of for ever; and also we have granted, and by these presents do grant, for us and our heirs, to the said present mayor and burgesses and their heirs and successors for ever, that the said present mayor and burgesses, and their heirs and successors being mayors and burgesses, upon the feast of St. Michael the archangel, next ensuing the date of these presents, and afterwards from year to year, upon the said feastday, may amongst the said burgesses, in a certain hall, called the Moot-Hall, chuse out of themselves thirteen comburgesses of the more creditable sort of men, being burgesses of the village or borough aforesaid, one of which burgesses always is to be chosen for the mayor of the village or borough aforesaid, and to remain mayor of that village or borough for one whole year after his election.

Comburgesses may remain, resign, &c.—Which comburgesses indeed thus being elected in the office of comburgesses of the village or borough aforesaid, during their natural life may remain and continue, and each of them may remain and continue, unless they or any of them at their own special request to be made to the mayor and the rest of the comburgesses of that mayor of the village or borough aforesaid for the time being, or for any substantial reason, have or hath from those comburgesses by the mayor of the village or borough aforesaid, and the rest of the comburgesses of that village or borough for the time being, been removed.

To chuse a burgess, and two sergeants at mace.—And that upon the death of such comburgesses or otherwise upon his resignation or removal from the office of a comburgess, the mayor for the time being, and the comburgesses of the village or borough aforesaid, and their heirs and successors for ever, may have full power and authority by virtue of these presents to chuse one other burgess out of themselves for a comburgess of the village or borough aforesaid, in the place of that comburgess so dying, resigning, or being removed, and so from time to time for ever. And further we have granted, and by these presents do grant, for us and our heirs, to the aforesaid present mayor and burgess, and their heirs and successors, that the said present mayor and comburgesses of the village or borough aforesaid, and their heirs and successors for the time being, from year to year, at their pleasure, may chuse out of the burgesses of the village or borough aforesaid, two sergeants daily to bring or carry the mace, with the arms of us and our heirs engraved thereupon, before the aforesaid mayor and other mayors of the said village or borough aforesaid, for the time being, and to do and execute all and singular precepts and mandates which by the aforesaid mayor, for the time being, shall from time to time be commanded them, or either of them.

Power to arrest—And moreover, we grant to the said mayor and burgesses and their successors, that they by their serjeant at mace, may have power and authority to attach and arrest whatsoever men and women less sufficient (or that are proper objects) by their bodies in whatsoever pleas, plaints, contracts and demands, or in other actions personal, real, or mixt whatsoever within the village or borough aforesaid, and the precinct thereof in any manner whatsoever accruing or arising, and which in any manner have been or shall happen to be depending for the time to come.

Mayor, coroner, &c. and mayor's oath.—Moreover, we have granted to them, the said mayor and burgesses, that they and their successors may have in the said

village or borough power and authority, jurisdiction and liberty, to perform and execute all and singular things which to the office of a coroner there appertain, to be performed and executed as the rest of the coroners of us and our heirs in other places have had, and shall happen to have for the time to come, so that at no future time, any coroner of our said kingdom of England (save the mayor of the village or borough aforesaid, for the time being) within the said village or borough and the precinct thereof may enter; neither that any sheriff, escheator, steward, feodary, or minister of us or our heirs, may enter the village or borough aforesaid, or the precincts thereof; there to perform or execute any office, but only in default of the mayor himself: and that the said mayor thus elected, or to be elected, by his comburgesses aforesaid, immediately after this his election before his said comburgesses in the Moot-Hall aforesaid, shall take his solemn corporal oath as well duly and truly to perform and execute the office of a mayor as the office of a coroner.

Mayor dying or removed, another to be chosen in eight days.—And if a mayor of this borough so elected in manner above, within the year after his election, shall happen to die, or shall for his bad administration of the village or borough aforesaid, or for any offence, or for some reason be by some means or other deprived of or removed from the office of mayor; then the comburgesses aforesaid, and their successors may chuse and appoint, within eight days next after such death, discharge or removal, out of themselves one other comburgess for the mayor of the village or borough aforesaid, in the place of that mayor deceased, discarded or removed, for the remainder of that year, to rule and govern the said village or borough aforesaid, who in like manner shall take the oath as above prescribed.

Non-resident not to be mayor.—And we will and command that no out-dweller, or foreigner dwelling without the village or borough and precincts thereof, by virtue or colour of a burgess, or for that because he is a burgess there, be not neither may he be chosen a mayor of the said village or borough, in times to come, upon any account whatsoever.

Mayor to be a justice of the peace.—And likewise but of our special grace, we have granted, and by these presents do grant, to the aforesaid mayor and burgesses and their successors, that the said mayor and his successors, be justices and conservators of our peace, to be kept within the said village or borough aforesaid. And that the said mayor and his successors may have for ever authority and power within the said village or borough, to preserve the peace as other justices and conservators of our peace in this behalf, have in any county of our kingdom of England.

Assize of bread, &c.—Moreover, we will and grant for us and our heirs and successors to them, the present mayor and burgesses, that the said present mayor and his successors, mayors of the village or borough aforesaid, may have for ever the superintendency, correction and punishment of the assize of bread and ale, and of all other victuals whatsoever, from time to time within the village or borough aforesaid, precincts or liberties thereof, sold or to be sold, as to them shall seem convenient and necessary in times to come. And that the said mayor and burgesses and their successors may have a common seal, for measures and weights of every kind to be sealed therewith, within the said village or borough, precincts and limits thereof, so that the clerk of our market, either upon search or examination of measures and weights within the said village or borough, and precincts and limits, or for any cause, may not upon any account introduce any other seal than this, though heretofore made use of, under a very heavy penalty.

Watch.—Moreover, out of our special grace, we will and grant, for us and our heirs, for ever, to the said mayor and comburgesses, and their successors, that the said present mayor and comburgesses of the village or borough aforesaid, for the time being, as long as they shall remain mayors and comburgesses, may have power and authority to call together, convene and embody all and singular, our subjects of the village or borough, of whatsoever degree or condition they be, and those who to them appear the more likely, and that they cause them and every of them according to his degree, well and sufficiently to be armed and accoutred, and that they and every of them armed and accoutred in this manner, be kept and held day and night to watch and scarch within the said village or borough, precincts or liberties, thereof, for the safeguard, preservation, and defence of the said borough or village.

Mayor to have return of writs, &c. *Mayor and burgesses not to be sued but in the borough court.*—And also, out of our abundant grace and mere motion, we have granted to them the mayor and burgesses and their successors, that they may for ever have the return of all our writs and summonses of our exchequer, and of our heirs, and the execution of them. And that neither the said mayor nor burgesses and their successors, nor any of them may plead or be impleaded before us or any of our justices, or of our heirs, without the village or borough aforesaid, concerning lands and tenements lying within the said village or borough, nor of trespasses, agreements or contracts made in the said village or borough, or concerning any other things whatsoever there arising. But all pleas of this kind which may happen to be by summons or attachment before us, our justices, or our heirs, or before any of our justices or of our heirs, of the bench or elsewhere without the village or borough, are to be impleaded before the mayor of the said village or borough for the time being, and within the said village or borough they shall be pleaded and determined, unless the matter itself affect us and our heirs, or the community of the said village or borough.

Mayor and aldermen exempted from offices.—And that the said mayor of the village or borough aforesaid, for the time being, nor any of the comburgesses aforesaid, or their successors, may be appointed or assigned a manager, searcher or collector of any customary taxes, tribute, dues, subsidies, dues for knights' service, tenths, fifteenths, or any other taxes whatsoever, to be granted in any manner whatsoever to us or to our heirs, without the village or borough aforesaid. Also willing and granting to them the present mayor and burgesses, that neither they nor their heirs or successors, or any of them, in time to come, may be a bailiff, constable, headborough, or other officer or minister whatsoever, of us, our heirs, without the village or borough aforesaid, against their own inclination. And that neither they nor any of them may be forced or compelled to undertake any charge of the offices aforesaid, upon any account whatsoever, without the village or borough aforesaid.

Not to serve on juries.—And that neither the aforesaid mayor and burgesses, nor their successors, may be impannelled upon juries, at the assizes, or upon any inquisitions, by reason of their tenements without the borough, or upon any other juries whatsoever, which upon account of their tenements or trespasses, or any of their other foreign concerns, service is required before our justices or other ministers, or of our heirs, to be done, which will occasion disorder in the said village or borough. And all foreigners may not be impaneled with our burgesses upon juries of assize, or upon inquisitions, which by reason of their lands and tenements

being in the said village or borough, or of trespasses, contracts, or their other foreign businesses, service is required to be done.

To hold sessions.—And further, out of our abundant grace, we have granted, and by these presents do grant and confirm, to them, the said mayor and burgesses, that they and their successors be our justices for the peace, and for felonies, trespasses, and other misdemeanors whatsoever. And that as justices for the peace within the village and borough and precincts and bounds thereof, together with one learned in the law, at the appointment of the mayor of that village or borough for the time being, they may hold from time to time by mandate or warrant, to be made by the mayor of the said village or borough for the time being, and unto one of the serjeants at mace of the mayor of the said village or borough for the time being, to be directed or made sessions's, to inquire for us and our heirs, as often as shall be necessary.

Gallows and goul, &c.—And that the said mayor and burgesses, and their successors, may have a gallows and a proper prison or goal within the said village or borough of Pontefract aforesaid, and the precincts and limits thereof, for felons and other offenders whatsoever, within the village or borough and precincts and limits aforesaid, taken or to be taken in the said prison or gaul, safely and securely to be kept until from the same, according to the law and custom of our kingdom of England, they shall be discharged. And that the serjeant at mace, so appointed within the village or borough aforesaid, for the time being, all receipts and warrants of the sessionses so held, in all things may do and execute, or the one of them may do and execute, and they and the one of them may attend upon the said justices in their sessions for inquisitions, and other things whatsoever in the premises to be taken or done, and the executions of judgments and mandates of them the said justices in all things may execute and do, or the one of them may execute and do as fully and effectually as the sheriff of our county of York, and other our sheriffs, justices in this behalf elsewhere, in our kingdom of England, ought to attend and the precepts and warrants, ought or shall execute or order to be executed; so that no sheriff of our said county of York, for the time being, may in any manner enter for the execution of these kind of precepts and warrants of the said justices, within the village or borough, precincts and limits aforesaid, neither may he in any manner enter into the said village or borough, upon this or upon account of any of the premises.

Power to determine all offences within the borough.—And also, we will and have granted, that the said mayor and cornburgesses of the village or borough of Pontefract aforesaid, for the time being, twelve, eleven, ten, nine, eight, seven, six, five, four, three or two, of them, together with the mayor of the village or borough aforesaid, and one skilled in the law, may have full correction, punishment, power and authority, to take cognizance of, and inquire, hear and determine all matters and things, as well touching all felonies, trespasses, misprisons and extortions, as of all and all manner of other causes, complaints and offences whatsoever, within the same village or borough, and liberty, and precincts and limits thereof, howsoever happening or arising, so fully and effectually as conservators of the peace and justices assigned, and to be assigned to hear and determine felonies, trespasses and other misdemeanors, and justices of servants, labourers, artificers, within our county of York, without the village or borough, liberty and precincts aforesaid, have or shall in any manner have for the time to come.

Mayor to collect fee farm rents and tolls.—Provided always, that the said mayor of the village or borough aforesaid, for the time being, be constrained either by himself or by his deputy or their deputies, yearly to collect or cause to be collected, as well the rents of our village or borough aforesaid, as the rents called Castle-Farms, Andrew-Farms, and Plowland Farms, with all tolls, escheats and other profits whatsoever, to us belonging. And further—Whereas, forty-nine pounds thirteen shillings and fourpence only have been used to be paid to us and our predecessors, out of the profits of the farms aforesaid, and now lately we have been informed, that fifteen pounds thirteen shillings and fourpence thereof, out of certain profits of the farms aforesaid, within the precincts of the village or borough, cannot be levied because several tenements through decay are totally destroyed. Know ye, that we out of our abundant grace, mere motion and certain knowledge for the bettering of our said village or borough, do acquit, remit, and release by these presents to the said mayor and burgesses, and their successors for ever, the sum of fifteen pounds thirteen shillings and fourpence due to us annually; so that the said mayor and burgesses and their successors of the village or borough of Pontefract aforesaid, who may happen to be in time to come, are bound to answer and pay to us and our heirs for ever, out of the profits of the farms, the sum of thirty-four pounds and no more. And that neither we, nor our heirs have any right to the said fifteen pounds thirteen shillings and fourpence, nor any part thereof shall for the time to come, exact or claim.

Market on Saturday, and two fairs.—And moreover, we have granted and do grant, and by these presents do confirm to the said mayor and burgesses of the said village or borough of Pontefract aforesaid, that they and their successors may have within the village or borough aforesaid, one market to be held there every week for ever, on every Saturday; and yearly two fairs there (to wit) the one fair of them upon a Palm Sunday in Quadragesima, and to continue for six days next proceeding; and the other fair thereof upon the feast and Lord's day of the holy undivided Trinity, and to continue for six days next preceeding, together with all liberties, rights, privileges, and appurtenances to these fairs and markets, or any of them belonging, so that these fairs and markets be not to the detriment of other neighbouring fairs and markets.

Ordering of the stalls, &c. Exemption from toll, (two fairs excepted).—Also, we will and grant for us and our heirs aforesaid, and by these presents confirm to the aforesaid mayor and burgesses of the village or borough aforesaid, and their successors for ever, that they may have by the mayor of the said village or borough for the time being, and two or three of the more creditable and discreet comburgesses of the said village or borough, assistants to the said mayor, they being for this purpose yearly elected or deputed by the said mayor, for the time being; the management, ordering, and appointment of the stalls and booths in all these fairs and markets, or any of them to be had or placed, and the whole direction of the markets, fairs, and of all and singular liberties, and other usages to the said markets and fairs belonging, without the hinderance or disturbance of us, or our heirs, or of other our officers whatsoever. Therefore, we will, and strictly order and command the aforesaid mayor and burgesses for the time being, that none of our subjects for the future coming into the said village or borough, to the markets or fairs (save only in the time above specified) be bound or constrained to pay any toll or other duty to the said mayor and burgesses for our,

or their use. But that all, and singular our subjects in this manner for the time to come, resorting together by reason of our grant aforesaid, be therefore free, unmolested and exonerated for ever.

Mayor, &c. to make laws, rules, &c. in the borough.—And moreover, we will and grant, and by these presents have granted for us and our heirs to the aforesaid mayor and burgesses, and their successors, that the said mayor for the time being, together with twelve honest men of the said village or borough of Pontefract, and the precincts thereof, for the time being by the said mayor to be nominated, with other of the burgesses aforesaid, and by them the mayor or honest men convened, if they are so pleased in the Moot-Hall of the village or borough aforesaid, as often as they please to meet together, and laws, rules, and ordinances legal and beneficial for the public good of the village or borough aforesaid, and the precincts thereof from time to time, to ordain and make, and those in their wise and prudent government use, and, in the said village or borough, and the precincts thereof put in execution. Also, that they may for ever revoke and alter them, and every of them, as to themselves it shall seem the more expedient.

Enjoyment of ancient liberties and customs. Burgesses exempted from paying toll.—And further, out of our abundant grace, we will, and grant, and by these presents confirm for us and our heirs, that the said mayor and burgesses and their successors may have, and peaceably enjoy all the liberties and customs by them the burgesses and their successors within the village or borough of Pontefract aforesaid, anciently enjoyed. And that the burgesses aforesaid, and their successors and all the inhabitants within the said village or borough, shall be exempted from toll, murage, passage, pannage, pontage, and sedage, through our whole Kingdom of England, and our dominion for ever.

Power to mayor and burgesses to hear causes, &c.—Wherefore we will, and strictly command for us and our heirs, that the aforesaid mayor and burgesses of the village or borough of Pontefract aforesaid, and their successors may have, hold and use, all and singular, the powers of hearing and judging causes, franchises, liberties, immunities and privileges, and all other the premises as above specified, and that them, and every of them, they may fully, freely, intirely, peaceably, and quietly occupy and enjoy without the let, interruption, molestation, or obstruction of us, or our heirs, of any of our officers or ministers, or of our heirs whatsoever, as is above-mentioned, in the manner and form above-declared. In witness whereof, we have caused these our letters to be made patent.—Given under our seal, of our Duchy of Lancaster, the twenty-eighth day of July, in the second year of our reign.

By THOMAS METKALFF, Chancellor.

The above charter was confirmed by another in the same year.

Similar charters were granted by Henry VII. and Edward VI.; but as they contain no additional clauses, it is unnecessary to print them.

CHARTER OF JAMES, TO REGULATE THE CHOICE OF THE MAYOR.

JAMES, by the grace of God, of England, Scotland, France and Ireland, King defender of the faith, &c. To all persons, to whom these present letters patent shall come greeting,

Part of Henry VII. charter recited, relative to the chusing the mayor.—Whereas, his Majesty, Henry VII. late King of England, by his letters patent under the seal of his Duchy of Lancaster, made, bearing date the first day of December, in the fourth year of his reign, granted (amongst other things) to the then mayor and burgesses of the village or borough of Pontefract, and to their heirs and successors for ever; that the said then present mayor and burgesses, and their heirs and successors, mayor and burgesses, upon the feast of St. Michael the Archangel, then next ensuing, the date of those said letters patent, and afterwards from year to year, upon the said feast day, amongst the said burgesses, in a certain hall, called Moot-Hall, might chuse out of themselves thirteen cum-burgesses of the more reputable sort of men, burgesses of the village or borough aforesaid, one of which burgesses always then should be chosen for the mayor of the village or borough aforesaid, and remain mayor of the village or borough aforesaid, for one year next following such election, as by the said letters patent, may and doth more fully appear.

Disputes arising, concerning the election of mayors.—And whereas, we are credibly informed, that the election of the mayor of the village or borough aforesaid, heretofore, hath been made by the greater number of votes and suffrages of the burgesses of the said village or borough, by reason of which sort of form and manner of election, infinite contentions, animosities and disputes have arisen, and been propagated betwixt the mayor, comburgesses, and burgesses of the village or borough aforesaid, for, and in respect of the suffrages and votes given in the election of the mayor of the said village or borough, by means whereof, very often great hatred, revenge and resentments, and many other evils have ensued to the disturbance of our peace, and exceeding bad example of others.

Mayor to be chosen the 14th Sept. and sworn into office on Michaelmas-day.—Know ye, therefore, that we, in order, that all animosity, contention, and quarrelling about the election of the mayor of the village or borough aforesaid, may from henceforth be intirely removed, and that peace and good neighbourhood betwixt the mayor and burgesses of the village or borough aforesaid, may revive, and increase; and also at the humble request of the present mayor and burgesses of the village or borough aforesaid,—Have willed and granted, and by these presents, for us, our heirs and successors, do grant to the aforesaid mayor and burgesses of the village or borough aforesaid, and to their successors; that the election of the mayor of the said village or borough, in every year, and from year to year, for the time to come, for ever, must and shall be upon the feast day of Holy Rood, that is to say, in and upon the fourteenth day of September, in the manner and form, in these presents under-mentioned and prescribed,

And that the person who as aforesaid, shall so be elected and appointed mayor of the village or borough aforesaid, shall take his corporal oath before the late mayor, his predecessor and the comburgesses, and burgesses of the said village or borough, or so many of them who at that time shall be present, in and upon the feast of St. Michael the Arch-angel, then next following, such his election and nomination aforesaid, well and truly to execute and discharge the office of mayor, of the village or borough aforesaid, in all those duties relating or appertaining to the same.

Comburgesses not to vote in the choice of a mayor. Suffrages to be wrote on paper, and put into a box.—And that after his so taking the aforesaid oath, he

must, and may be enabled to execute the office of mayor of the village or borough aforesaid, for one whole year, then next ensuing. And to the intent, that the aforesaid election may be without any contention and malice in any shape,—We will, and by these presents for us, our heirs and successors do grant to the aforesaid mayor and burgesses of the village or borough aforesaid, and to their successors: that in the above said time of election, every mayor of the village or borough aforesaid, for the time to come, every Burgess of the village or borough aforesaid (except the comburgesses of the said village or borough) shall write himself, or cause to be written in a little scrole of paper, his suffrage and vote, and the said scrole of paper, together with the said suffrage and vote inscribed thereupon, shall put into a certain bagg or box for this kind of business to be provided, by the mayor and burgesses of the village or borough aforesaid. Which said scrole of paper, indeed shall not contain the name of that person giving his vote and suffrage, but the inscription thereupon shall be in the manner and form following, that is to say, “on the fourteenth day of September, in the year of our Lord, &c. such a person is elected mayor of the village or borough aforesaid,” and that always the day and year, and name of the person so to be appointed mayor as aforesaid, must be named and specified thereupon.

Votes equal the three senior aldermen to vote—And if it shall happen that the number of votes and suffrages, so as aforesaid to be written upon the small scroles of paper, be even and equal, that then three of the senior comburgesses who then shall be present, shall join and inscribe their suffrages and votes in like manner, upon a scrole of paper, and shall put the same into the aforesaid bag or box. And that from time to time, for ever, every person for whom the most votes shall be given in the manner and form aforesaid, may upon his taking a corporal oath, to discharge the office of mayor of the village or borough aforesaid, and all other things thereunto belonging, or appertaining upon the least day of St. Michael the Arch-angel, next following such election and appointment of every such person to the office of mayor aforesaid, in the presence of the mayor for the time being, and the comburgesses and burgesses of the village or borough aforesaid, or so many of them, who shall please to be present (one of which, we order the aforesaid mayor to be) before that he undertakes the office of mayor of the village or borough aforesaid, have, execute and perform the same for one whole year, then next following the aforesaid feast of St. Michael the Arch-angel, upon which, so as aforesaid, he shall be sworn into the said office of mayor, of the village or borough aforesaid, the aforesaid letters patent above-mentioned, or any other letters patent whatsoever, or any other matter, cause, or thing whatsoever, to the contrary thereof, in any wise notwithstanding.

The scroles of paper, or votes, to be inspected by the three senior aldermen, and burnt by them.—And we order that the aforesaid scroles of paper thus inscribed, only shall be inspected, and the votes thereupon inscribed, only shall be read by the three senior comburgesses of the village or borough aforesaid, who at such election there shall be present. And that after every such election in the manner aforesaid, to be fully complete and perfected the said scroles of paper so as above-mentioned, to be put into the said bag or box immediately, shall be burnt by the three senior comburgesses of the village or borough aforesaid.

Power to arrest, &c.—And whereas, the said late King Henry VII. by his said letters patent above-mentioned, granted to the aforesaid mayor and burgesses and their successors, that they, by their sergeants at mace, should have power

and authority to attach, and arrest all men and women whatsoever, less sufficient (or proper objects) by their bodies, in all manner of pleas, plants, contracts, and demands, or other actions personal, real, or mixt whatsoever, within the village or borough aforesaid, and the precincts thereof, in any manner howsoever transacted or arising, which in any manner were commenced, or might from thenceforth for the time to come, happen to be commenced, as by the said letters patent (amongst other things) it may, and doth more fully appear. We out of our abundant special grace, and out of our certain knowledge, and mere motion, do will, and grant to the aforesaid mayor and burgesses of the village or borough aforesaid, and their successors by these presents, that they, by their serjeants at mace, may have, and shall have power and authority, as well to attach and arrest all men and women whatsoever, less sufficient (or proper objects) by their bodies, to answer any person or persons complaining or to complain of, or concerning any actions, personal or mixt, in the court of the village or borough aforesaid pleadable, as to take and execute any execution and executions, of or concerning any goods and chattles, within the village or borough aforesaid, to be found, for a satisfaction of any debts or debt, or any sum of money, which in the court of the village or borough aforesaid, shall from time to time, be duly recovered in any such actions or plaints, determinable in the court of the said village or borough. And in all, and singular such actions, to put into force, and use all such processes, judgments, and executions, as by the law and custom of this, our Kingdom of England, in such like actions are used, and ought to be used, and that in as extensive a manner and form, as in any other our courts of record, in any other borough, city, or village, incorporated within this our Kingdom of England, is used and accustomed, or ought, or can be done.

Gate law toll.—And further, we will, and by these presents, for us, our heirs and successors, do grant to the aforesaid mayor and burgesses of the village or borough aforesaid, and their successors, that the mayor of the village or borough aforesaid, for the time being, or any other person or persons by him, to be deputed for the time to come for ever, may have full authority and power, by virtue of these presents, to have, ask, demand, take, receive and retain of every person or persons with every cart (in English) a wayne, cart, or shodd, bound with iron (in English, called a bound, wayne or cart, or shodd, wayne or cart loaden, and in, through or beyond the streets of the village or borough aforesaid, or in, through or beyond any passage or way, within the liberty or precincts of the said village or borough, coming or passing, one penny; and for every cart (in English) called a bare wayne, cart, or a shodd cart, one halipenny of lawful money of England, for, and towards the repair and support of the ways, pavements, passages, and other places within the borough aforesaid, and the precincts thereof, to be applied according to the discretion of the mayor, and comburgesses of the village or borough aforesaid, for the time being; and these our letters patent, or the inrollment thereof, shall be from time to time, as well to the aforesaid mayor for the time being as to all such persons by him as aforesaid to be deputed, a sufficient warrant, and discharge in that respect.

Grant and confirmation of ancient liberties.—And further, we will, and by these presents for us, our heirs and successors do grant, give, ratify, confirm, and allow unto the aforesaid mayor and burgesses of the village or borough aforesaid, and to their successors, all and all manner of liberties, franchises, immunities, exemptions, privileges, relinquishments and jurisdictions, which the mayor and burgesses of the village or borough aforesaid, now have, observe, use and enjoy, or which

any of them, or their predecessors by whatsoever name or names, or by whatsoever incorporation, or upon account of any manner of incorporation whatsoever, heretofore, have, had, used, or enjoyed or ought to have, hold, use, or enjoy by hereditary descent, by reason, or in pursuance of any charters, or letters patent, by any of our progenitors or ancestors, late king's or queen's of England, in any manner heretofore, made, confirmed or granted, or by reason of any other lawful means, right, tithe, custom, use, or prescription, heretofore, lawfully used, had, or accustomed, although the same, every, or any of them heretofore, have or hath not been used, misused, or wrongfully applied, or have, or hath been discontinued, and although the same, every, or any of them, are, or have been forfeited, or extinguished;—To have, hold, and enjoy the same unto the aforesaid mayor and burgesses of the village or borough aforesaid, and to their successors for ever. And therefore,

Yielding and paying to us, our heirs and successors yearly, so many, so great, such like, the very same, and the same kind of rents, services, sums of money and demands whatsoever, as many, as great, such as, and which heretofore they have used to yield and pay to us, for the same, or ought to yield and pay. Wherefore, we will, and by these presents, for us, our heirs, and successors, do grant that the aforesaid mayor and burgesses of the village or borough aforesaid, and their successors may have, hold, use, and enjoy, and may be enabled and empowered, fully and effectually, to have, hold, use, and enjoy for ever, all the liberties, freedoms, customs, privileges, authorities, jurisdictions, and exemptions aforesaid, according to the tenor and true meaning of these, our letters patent, without the hinderance or obstruction of us, or of our heirs or successors whatsoever. Forbidding, that the said mayor and burgesses of the village or borough aforesaid, and their successors, or any of them, or any others, by reason of the premises, or any of them, may be therefore harrassed, disturbed, vexed or distressed, or in any manner molested by us, our heirs or successors, or by our justices, sheriffs, escheators, or other bailiffs, feodaries, or other, our officers or ministers, or of our heirs and successors whatsoever. Willing, and by these presents for us, our heirs and successors, commanding and enjoining, as well our treasurer, chancellor and barons of our exchequer, and of our heirs and successors, as our attorney and solicitor general for the time being, and every of them, and all others, our officers and ministers whatever, that neither they, or any of them, or any other persons may prosecute, or continue, or cause, or procure to be prosecuted, or continued any writ, or summons, for which they have our warrant, or any other writ or writs, or processes whatsoever against them, the mayor and burgesses of the village or borough aforesaid, or any of them, or against any other persons, for any profits, matters or things, offences, claims or customs, or for any of them due, claimed, challenged, used, enjoyed, or had by prescription from them, or one of them, before the day of the granting these presents. Willing also, that the mayor and burgesses of the village or borough aforesaid, or any of them, may not by any person, or any of the justices, officers, or ministers aforesaid, be in the least oppressed or incumbered, for or in respect of any debt, profit, claim, enjoyment, or misuser of any of the liberties, franchises or jurisdictions, before the granting of these our letters patent, or that they may be compelled to answer for the same, or any of them.

(Then follows the regulations of St. Nicholas' Hospital, as stated under that Article.)

We will, also, and by these presents, do grant to the aforesaid mayor and burgesses of the village or borough, that they may have, and shall have, these our letters patent, under our great seal of England, in due form, made and sealed without fine, or great or small fee, in any manner, by reason thereof, to be yielded, paid, or rendered to us, in our hanaper, or elsewhere, for our use, notwithstanding express mentioned, is not above made of the annual value, or of any other value, or a certainty of the premises, or any of them, or of any other gifts or grants heretofore, made by us, or by any of our ancestors or progenitors, to the aforesaid mayor and burgesses of the villages or borough aforesaid, is at least ascertained in or upon these presents. Any statute, act, law, proviso, proclamation, or restriction to the contrary thereof, heretofore, had, made, published, enacted or provided, or any other matter, cause or thing whatsoever, in any wise notwithstanding. In witness whereof, we have made these our letters patent; witness ourself at Westminster, the 2d day of March, in the fourth year of our reign, of England, France and Ireland, and of Scotland the fortieth.

By writ from the private seal, &c.

TOPPIN.

No new grant is made in the Charter of Charles II. The following clause regulates the choice of the Towns-Clerk and Recorder :

Also, we will, and by these presents, we declare our royal meaning to be; that John Dickson, the now common clerk, or clerk of the peace of the borough aforesaid, may be, and shall be the common clerk and clerk of the peace there, during his natural life. And that no recorder or common clerk of our village or borough aforesaid; for the future to be elected or appointed into this kind of office or offices, or either of them may respectively enter before, they, and each of them is, are, or shall by us, our heirs or successors, by a warrant in that behalf, under our sign manual; and of our heirs and successors be respectively approved of, any thing in these presents contained, or any other matter, cause, or thing whatsoever to the contrary thereof, in any wise notwithstanding.

The Charter of James II. contains no new grants, and it is deemed unnecessary to print more than the following clause :

Officers removeable at the will of the King.—Provided always, and by these presents, we reserve to ourself, our heirs and successors, full power and authority from time to time, and at all times hereafter, at our, at the will and pleasure of our heirs and successors, to remove and to declare them to be removed, the mayor, recorder, common clerk, and any other, or others of the aldermen of the village or borough aforesaid for the time being, by any order of us, or of our heirs or successors, made in the privy counsel, and under the seal of the privy counsel aforesaid, respectively notified. And as often as we, our heirs and successors, by any such order in our privy counsel, made, shall, in this manner declare the mayor, recorder, common clerk and any other, or others of the aldermen of the village or borough aforesaid, for the time being, to be removed from their respective offices, that then, and from thenceforth, the mayor, recorder, common clerk and any other, or others of the aldermen of the village or borough aforesaid, for the time being, thus declared, or to be declared, to be removed from their several and respective offices, may be, and shall verily, and without any further process; really, and to all intents and purposes whatsoever, be removed, and this must be done as oft as occasion shall so require, any thing to the contrary thereof notwithstanding.

CHARTER FOR THE GRAMMAR SCHOOL.

GEORGE THE THIRD, by the grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, and so forth; and to all to whom these our letters shall come, greeting—Whereas, it hath been represented to us that the Free Grammar School in our town of Pontefract, in our county of York, hath of late been going rapidly to decay, and that particularly for several years past, there hath been no master of the said Free Grammar School appointed by us, to whom, in right of our Duchy of Lancaster, the patronage of the said school of right belongs; nor hath any proper or fit person, for several years past, appeared to solicit the appointment to that office. And, whereas the mayor, aldermen and burgesses, of our said town of Pontefract, and divers inhabitants of the said town, have humbly represented the several matters aforesaid, to us, for our royal consideration and assistance therein, and have expressed themselves ready and willing, by, and at the expence of the inhabitants of our said town of Pontefract, to rebuild the said Free Grammar School, together with a convenient residence for the master thereof, to be appointed by us and our successors, in right of our said duchy of Lancaster, in the same manner as heretofore hath been done; and they have also humbly requested us, for the better carrying into execution the several purposes aforesaid, to re-found the said Free Grammar School, and to make and enact, or cause to be made and enacted, by some proper and fit persons or person, by us appointed thereunto, some constitutions, rules, statutes and ordinances, for the regulation of the conduct of the master and scholars of such Free Grammar School; and for electing, limiting and defining the number of Scholars to be educated upon the said foundation; and for the introduction and permanent regulation of such other matters as may tend to the advantage of the said school, as to our royal wisdom shall seem fit. Now, Know Ye, that we being willing and desirous to promote the welfare of our said town of Pontefract and our township of Tanshelf, in the county of York, and to re-establish the said school, in such manner as may hereafter encourage and promote the education of youth of the description herein-after mentioned, within our town of Pontefract and township of Tanshelf; of our special grace, certain knowledge and mere motion, will and grant, for ourselves, our heirs and successors, that the said Free Grammar School, situate and being within the said town of Pontefract, in the said county of York, shall for ever hereafter be called The King's School; and shall be deemed and taken to be a Free Grammar School of our own royal foundation, for the teaching and educating of seventeen boys, all of whom (except the boy to be elected, nominated, and appointed from the charity school in the town of Pontefract, as herein-after is mentioned) at the time of being elected and appointed to be of the said foundation, shall be children of resident inhabitants, legally settled within the township of Pontefract, or the said township of Tanshelf, or of any deceased inhabitants or inhabitant, who were legally settled therein at the time of their or his decease; and for the teaching and educating of such children, we further will, direct and appoint, that a fit and discreet person, as soon as conveniently may be, and for ever hereafter upon the happening of any vacancy within three calendar months from the happening of such vacancy, shall be nominated and appointed in the name, or names of us, our heirs and successors, by the chancellor of our duchy of Lancaster, by letters patent under the seal of our said duchy, to be master of the said Free Grammar School during the good-will and pleasure of us, our heirs and successors, in the manner heretofore accustomed; which person, as a necessary qualification for such appointment, shall have taken upon him, previous to such appointment, the state and degree of a master of arts,

or bachelor of laws, at one of our Universities of Oxford or Cambridge, and also shall have had ordination as a priest or deacon of the church of England; and who, at the time of such his appointment, or at any time afterwards, during his continuing master of such Free Grammar School, shall not have or possess any benefice, within fifteen miles of the town of Pontefract, the lectureship of the said town, or preacher of the Sunday afternoon sermon, in the said town only excepted. And for the better regulation of the said foundation, we further direct, appoint, and order, that the seventeen boys to be educated upon the said foundation, shall be elected, nominated, and appointed by the persons, and in the manner herein-after more particularly specified, (that is to say)

Our royal will and pleasure is, that two of the said seventeen boys, of the description aforesaid, shall be nominated and appointed by the chancellor of the duchy of Lancaster, for the time being, in his own name in writing, under his own proper hand and seal, when and as often as such boys, or either of them, shall in any manner make a vacancy, by dying, or leaving, or being removed from the said foundation; so however that such boys or boy, so nominated and appointed; at the time of such nomination and appointment be made in the manner aforesaid, within three calendar months from the time such vacancy shall have been announced, and certified in writing, signed by the master of the said foundation, and two of the curators, (herein-after to be appointed) or if there shall be no master at the time of such vacancy, by two of the curators; and in default of such appointment within the time aforesaid, then we will, direct and appoint, that such nomination and appointment shall, for that vacancy only be made by the curators of the said foundation; so however, that such appointment and nomination be made in writing, and signed by the greater number of such curators for the time being, the mayor of the town for the time, being one of such signing parties; and that such appointment express, that the boy so nominated and appointed, is made in default of appointment, by our chancellor of our duchy of Lancaster for the time being, within the time herein-before specified. But we hereby further declare our royal will and pleasure to be, that no informality in the manner or form of appointment, provided it be made within the time before specified, by our chancellor of the said duchy of Lancaster, shall entitle the said curators to make such appointment.

And our royal will and pleasure further is, that fourteen boys, to be of the said foundation, who shall also be seven years of age at the least, at the time of appointment, shall be of the nomination, election and appointment of the curators, of the said foundation, or the major part of the complete number of such curators, living at the time of such nomination, election, or appointment; such nomination, election, or appointment, to be made pursuant to the constitutions, statutes, rules and ordinances, to be ordained by the attorney general of our duchy of Lancaster for the time being, by writing under his hand and seal, or as they may hereafter be altered or added to, by the curators herein-after mentioned; so however that such alteration in the said constitutions, statutes, rules and ordinances, from time to time, be approved by our said attorney general, of our said duchy of Lancaster for the time being, under his hand and seal. And that such nomination, election, and appointment, be made within three calendar months, from the time of the vacancy happening, which is to be filled up by such curators, and which ultimate time for making such election or appointment, we will and direct, shall not be subject to any alteration by our said attorney general, or curators, or either of them; and in default of such nomination, election and appointment of the said last-mentioned fourteen boys, or any of them, within three calendar months from the time of any vacancies, or vacancy, happening; our royal will and pleasure is,

that our chancellor of our Duchy of Lancaster, for the time being, after the time of the lapse of the said three months, shall, in his own proper name, nominate and appoint, in writing under his hand and seal, to such vacancies, or vacancy, so as aforesaid suffered to lapse. But our royal will and pleasure is, that no informality in the mode of electing, nominating and appointing of the said fourteen boys or any of them, by the said curators, shall entitle our said chancellor of our Duchy of Lancaster, to nominate and appoint to such first-mentioned vacancies, or vacancy, or any of them; provided the mode of electing, nominating and appointing of such fourteen boys, or any of them, by the said curators, shall be substantially corresponding with, and pursuant to, the directions for such election, nomination and appointment, contained in this our royal charter, and in the constitutions, rules, statutes and ordinances made by our attorney general, of our Duchy of Lancaster, for the time being as aforesaid, or as altered by the said curators, and approved as aforesaid by our said attorney general.

And our royal will and pleasure further is, that the one other boy to be of the age and description aforesaid, shall be elected, nominated and appointed out of, and from amongst, the boys maintained and educated in the Charity School within our said town of Pontefract, called or known by the name of the "Town School," by the trustees of the said Charity School; for the time being, or the major part of them, such election, nomination and appointment, to be made or certified in writing, and signed by the major part of such trustees; and such boy, so nominated, elected and appointed, shall be taught and educated in the same manner as the other boys upon the said foundation shall be; (free from all fees or expences whatsoever) for a term not exceeding five years, or for such other time and no longer, within the space of seven years, as shall be specified in the said certificate, or appointment of the said trustees, or major part of them, in case any time shall be therein specified; and at the end of such period of time so specified, or at the end of five years, or within three calendar months after either of such times, the said trustees, or the major part of them, shall again in manner aforesaid nominate, elect and appoint, and certify the election, nomination and appointment of one other boy, out of, and from amongst, the boys of the said Town Charity School, to be taught and educated in manner, and during the time aforesaid.

And our further royal will and pleasure is, and we do ordain, nominate and appoint, the mayor, recorder and aldermen of our said town of Pontefract, and the vicar of the vicarage within the parish of Pontefract, for ever hereafter, to be the curators or guardians of our said school; and that they shall have full power and authority to enforce and carry into execution, in such manner as to them shall seem fit, and consistent with the law of the realm, and this our charter; all such constitutions, statutes, rules and ordinances, as shall be made by our attorney general, of our Duchy of Lancaster for the time being, under his hand and seal, for the regulation of the said foundation and school, and of the master and scholars thereof; and to regulate and direct what books, or authors, shall be taught in the said Free Grammar School, and to appoint and distribute the times of teaching the same; and what stipend, or sum of money, shall be paid by the boys, to be educated upon the said foundation, to the master of the said Free Grammar School, and the times and time of payment thereof, and their continuance upon the said foundation, and the time of quitting the same; and the discipline of the said school, as well of correction as expulsion; and the imposing of such conditions or performances upon the said master, consistent with the provisions aforesaid, as the said curators shall think for the benefit of the said Free Grammar School, and of all other matters and things, touching the

regulation and management of the said foundation in the first instance, and subject to the controul, reversal or alteration, by the visitor of the said foundation. And also from time to time to alter, amend, or new model such constitutions, statutes, rules and ordinances, with the approbation of our attorney general for the Duchy of Lancaster, for the time being, testified by his signing and sealing the same; so however that such alterations in no manner impugn, contradict, or be in any wise inconsistent with this our royal charter.

And our royal will and pleasure is, and we do hereby direct and appoint, that our chancellor of our duchy of Lancaster for the time being, shall be the visitor of the said Free Grammar School, herein before erected and founded; and that if the said master and scholars, or any of them, shall think themselves, or himself, aggrieved by the determination or judgment of the said curators, upon any subject entrusted hereby to their judgment or regulation, unassisted by the attorney general of our Duchy of Lancaster, for the time being; such master and scholars, so thinking themselves aggrieved, shall have a right of appealing to our said visitor, who shall have full power and authority to decide such appeal, and to make such order and regulations therein, as shall in his judgment be right and expedient; and that he may exercise such powers and authorities as belonging to the office of visitor to do. In witness whereof, we have caused these our letters to be made patent.—Given at our palace of Westminster, under the seal of our Duchy of Lancaster, the thirteenth day of February, in the thirty-second year of our reign, and in the year of our Lord, one thousand seven hundred and ninety-two,

JOHN ORD. VILLIERS.

Enrolled in the Duchy Court, the 25th day of February.

F. RUSSELL, Register.



Constitutions, Rules, Statutes and Ordinances; to be kept, maintained and observed, by the master and scholars of the Free Grammar School of the town of Pontefract, of the foundation of his most excellent Majesty King George the Third, duly made, and signed by John Ord, Esq. his Majesty's attorney general of the Duchy of Lancaster, pursuant to powers for that purpose to him given, in and by, his said Majesty's letters patent, under the seal of the same duchy, bearing date the 13th day of February, in the thirty-second year of his reign, and in the year of our Lord 1792. (That is to say)

First. THAT the boys educated at the Free Grammar School in the town of Pontefract, under and by virtue of, his Majesty's said letters patent, shall be assembled and instructed, in the school-room erected for that purpose, and not elsewhere; at such hours of the day as the master shall think fit, in the Latin and Greek Grammars; and at suitable periods, in the Latin and Greek Classics. The master of the said school shall have the appointment and regulation of the periods, at which such books and authors shall be taught and explained to the boys upon the said foundation; and of the several hours of the day when such boys shall be assembled together and taught; and of the distribution, and order of reading or teaching such books, and of every regulation touching the teaching and instruction of such boys, subject to the controul herein-after mentioned, (that is to say.) That the master shall put down in writing, the scheme and plan of instruction which he means and intends to pursue, and lay the same before the

curators, who shall be summoned to take the same into consideration; and the said curators, or the major part of them, of whom the vicar or recorder of Pontefract shall be one, shall have full power and authority to alter, vary or new model, such plan of instruction and teaching, and every thing relating thereunto; and when such plan of instruction shall be approved by the said curators, or the major part of them (of whom the vicar or recorder of Pontefract shall be one) the same shall be fairly transcribed, and signed by the curators, allowing and approving the same; and such plan of instruction shall from thence-forward be continually used at the said Free Grammar School, by every succeeding master of such school, subject only to such alterations as may be made therein at any time, by the curators or guardians of such foundation, or the major part of them.

Secondly, That the discipline of the school, so far as relates to the censure, punishment or reward of the scholars, shall be left wholly to the discretion of the master; but in case of any cruelty, or immoderate punishment of any kind, upon the complaint of the parents or parent, guardians or guardian, or any other person who may have the management and superintendence, of the education of any boy upon the said foundation, not having any parent or guardian, to the mayor; or, in his absence, to the senior alderman of Pontefract, then resident in the said town: which said mayor, or in his absence, the said senior alderman, shall, within two days from the time of such complaint, summon a meeting of the curators, or so many of them as shall be within a reasonable distance, to meet within twenty-four hours, from the time of such summons, and shall hear the complaint in the presence of the said master, and of the parent, guardian, or person standing as aforesaid in the place of parent and guardian; who shall have notice in writing of the time and place of such meeting, and examine into the circumstances thereof, and shall determine and resolve, whether such grievance or complaint is well or ill founded generally, without stating any special circumstances whatsoever; and shall put down, or cause to be put down in writing, and signed by the curators present, or the major part thereof, such their resolution, and preserve, or cause the same to be preserved, until a general meeting of the curators shall be called, or had; and such resolution shall be laid before such general meeting; and at such general meeting, if the complaint shall be resolved to be well founded, the said master may be admonished and reprov'd by the mayor, in the name of the curators, and an entry shall be made in a book, and preserved of such admonition and reproof; and the curators, if they shall think fit, shall represent the same to the visitor of the said school, for his discretion and judgment therein.

Thirdly, That the master of the said Free Grammar School, shall have no power whatsoever, to expel any offending boy of the said foundation, from the said school, for any offence whatsoever; but that upon any offence committed by any of the said boys, which shall in his discretion be worthy of punishment, or notice to that extent, the master shall with all convenient speed, apply to the mayor for the time being; or in his absence to the senior alderman, then resident in the said town, and request in writing, that he would summon a meeting of the curators, or so many of them as may live within a reasonable distance, within two days from the time of such request, to consider of the offence of such boy; during which interval, and until such meeting shall be had, the said master shall be at liberty to suspend the education of such boy, and to prohibit his coming to be taught at the said school: And at such meeting of the curators, so to be had, the said boy so offending and the parent, guardian or person having the direction of the education of such boy, if he hath no parent or guardian, shall have notice in writing, signed by the mayor, or in his absence by the senior alderman of the

town, then resident, to be present; and such order shall be then and there made, for the admonition, punishment, suspension or expulsion of such boy, as to the curators present, or the major part of them, (the vicar or recorder being one joining in the making of such order) shall seem just, and such admonition or punishment shall be carried into effect with all convenient dispatch, publicly in the school-room, in the presence of the other boys upon the same foundation, as far as the same may be consistent with the right of the visitor therein.

Fourthly, There shall be paid by the parent, guardian or person taking upon him the expence of the education of the said foundation boys, (except the boy chosen out of the charity school in Pontefract, by the trustees of the said charity) to the master of the said Free Grammar School, one guinea a year, by equal quarterly payments; and for such of the said boys who shall learn writing and arithmetic, (except such one charity boy) one guinea more a year, by such quarterly payments, and it shall be at the option of the parent, guardian or other person taking upon him the expence of the education of such boy, to chuse whether he shall, or not, be instructed in writing and arithmetic. But the boy elected, nominated or appointed to the said foundation, from the charity school at Pontefract, shall be taught writing and arithmetic, and nothing shall be paid for such his instruction; nor for any other instruction he shall receive upon the said foundation.

Fifthly, That the master of the said Free Grammar School, shall be obliged to receive the sons of any of the inhabitants of the towns of Pontefract and Tanshelf, and instruct and educate them in the same manner, and in the same authors, and with the like discipline, and subject to the same rules, orders and restrictions, with those herein-before specified relating to the said seventeen boys, upon the said foundation, (except that of expulsion, which shall be at the discretion of the master, as to such boys as are not of the said foundation) upon being paid for the education of each boy, two guineas a year by equal quarterly payments; and in case any of such boys shall be taught writing and arithmetic, which shall be at the option of the parent, guardian or person taking upon him the expence of the education of such boy, there shall be paid by quarterly payments, for such instruction in writing and arithmetic, one guinea a year and no more: Over and above the fees of salary paid to the master for the education of the said boys, he shall be paid for the latin and greek books necessary for their instruction, and for the paper, pens and ink used by them, a fair and reasonable price, to be ascertained and settled by the curators, or any three of them, the mayor and vicar being two, in case of any difference or dispute about the price or charge for such articles made by the said master.

Sixthly, No boy, whether of the said foundation, or not, and whether he be the son of an inhabitant of the town of Pontefract and Tanshelf, or not; shall be taught by, or under the direction or permission of the master of such school, writing and arithmetic, or either of them, unless he is also instructed in the latin and greek languages, or one of them, in the same manner with the boys upon the said foundation.

Sevently, That the master of the said Free Grammar School, be permitted to take into his house boarders and lodgers, and instruct any other boys, although they may not be the sons of inhabitants of the towns of Pontefract and Tanshelf, upon such terms as he shall think fit, so that such boys be educated at the same times, and in the same authors, and in the same school-room as the boys of the said foundation, and be mixed and intermingled with them, according to their ages and proficiency in learning; but the said master shall, on no account, be permitted to take any boys to educate privately, and separate from the other boys, or any of them, nor shall any distinction be made between the said boys upon the

said foundation, or any of them, and the other boys educated by the said master, or any of them; either by any badge or mark, or by the place of their sitting in such school-room, or by any other mode of treatment, whatever, except so far as relates to the expulsion, which, as to such boys who are not upon the said foundation, shall be left to the discretion of the said master.

Eightly. That an annual meeting shall be held by the said curators upon Tuesday next after Easter day, in the school-room; at which meeting the master shall, without any notice or request for that purpose lay before the curators present at such meeting, the number of all the boys under education at his school, and the number of assistants or ushers which he, then, and for six months hereof hath had constantly in employ, and for the teaching of what branches or branch of education; and in case the curators, or the major part of them, at such meeting, shall resolve that the number of such assistants or ushers, is insufficient for the teaching and instructing of the said boys, then the said master shall, upon the order or request in writing, signed by the said curators, or the major part thereof, add so many assistants or ushers, within one calendar month from the date of such request, as such curators, or the major part thereof, shall direct and specify; whose salaries or recompence shall be paid by the said master.

Ninthly. That no boy shall be taken and educated at the said school, whether he be of the said foundation, or not, unless he be of the age of seven years complete, at the time of his first coming to be educated; nor shall any boy upon the said foundation, be permitted to stay at such school beyond the full age of sixteen years, unless it is intended to send any of the boys to any of the universities of Oxford or Cambridge; and in such case, upon the representation of such intention by the master, and upon the request, in writing, of the parent, guardian or person taking upon him the expence of the education of such boy; or in case of the said charity boy, upon the request of the trustees of the said charity school, in writing, signed by themselves, or the major part of them, the curators at their annual meeting; such boys or boy, upon the special permission, in writing, signed by the said curators of such meeting, or the major part of them, may be continued at the said school to the full age of eighteen, and no longer.

Tenthly. That every election of the fourteen boys to be elected, nominated and appointed by the curators, to be upon the foundation of the said Free Grammar School, be made by ballot, whereof every curator shall have eight days previous notice, in writing, exclusive of the day of giving such notice, and of the day for such talking; and no one boy shall be elected without having, on the ballot, a majority of the curators present in his favour.

Eleventhly. That on every vacancy amongst the fourteen boys of the said foundation, appointed by the said curators, a notification thereof in writing, within two days, shall be given by the master of the said Free Grammar School to the mayor, or in his absence to the senior alderman for the time being, resident in the said town of Pontefract; and that the said mayor, or in his absence the said senior alderman, shall, within seven days after such notification given by the said master, summon a meeting of the said curators, to be held at the school-house, to ballot for and elect another boy to supply such vacancy; and that on every vacancy made by either of the two boys, nominated and appointed by the visitor of the said foundation, the like notice in writing, shall be given by the master to the mayor, or in his absence to the said senior alderman, and the mayor or senior alderman, then resident, shall give notice thereof in writing, to the visitor of the said foundation, who shall, by the said mayor or the said senior alderman, be respectfully requested in writing, to fill up such vacancy; and upon the vacancy of the boy appointed from the charity school of the said town of Pontefract, the like notice in writing,

shall be given to the trustees of the said charity school, for the time being, or such of them as shall be then in England, and capable of acting in the said trust, of such vacancy, and a request shall be made by the said master, in writing, to them, to fill up the vacancy, with all convenient expedition.

Twelfthly, That over and above the ~~above~~ fees and allowances to the said master, for the instruction of the said boys, elected and chosen to be upon the said foundation, and of such other boys as shall be the sons of inhabitants living and residing within the town of Pontefract and township of Tanshelf; there shall be paid to the master yearly, for each boy, (except for the said boy chosen from the charity school in Pontefract) after the Christmas Holidays, beginning after Christmas next, after each boys coming to school, two shillings each, for the expence of a fire in the said school-room, and the further sum of one shilling each, for repairing the school-room and school-house; and the master shall regularly account for, and deposit such monies in the hands of the town clerk of the town of Pontefract, and the same shall be kept by him, as a fund for repairing the said school-room and school-house, and shall be applied for those purposes in such manner as the curators, or the greater part of them, shall at any time direct: But the boy nominated by the trustees of the said charity school in Pontefract, shall pay no part of such expence of fire and repairs, or any other expence of education whatsoever.

Thirteenthly, That all the children during their education in the said school, shall be instructed in the Protestant religion, according to the rites and ceremonies of the church of England, as by law established; and every scholar, unless impeded by bodily indisposition, shall regularly, as well on Sundays as on such other of the days set apart by the church for public worship, as shall be specially directed by the master, resort to the parish church of Pontefract, or some other parish church in the neighbourhood thereof, to be allowed by the master; and there abide orderly and soberly, during the time of common prayer and preaching the sermon.

F. RUSSEL, Register.

ADDENDA.

To the Chapter on Donations.

MRS. ANN HIRST, of York, by deed of gift to the mayor, recorder and cleark of Pontefract, gave fifty pounds in trust, to be lent out to two poor tradesmen, in equal shares of twenty-five pounds, without interest, for seven years, on finding two sufficient bondsmen for the payment thereof; and in case one or both the bondsmen should die, the tradesmen to whom the money has been lent, are to find other bondsmen, within one month, or to pay in the money to the trustees.

Ann Hirst was a native of this place, and made the above donation as a testimony of her respect, prompted by a wish to encourage honest industry. The deed is dated in the year 1781.

Leonard Healeigh's Bequest.

MR. LEONARD HEALEIGH left by will, 1600, twenty shillings per annum, to the poor of Pontefract, out of a house in Neat Market, vested by commission of pious uses in 1682, in the vicar, and distributed every Good Friday. Richard Horncastle, Esq. now distributes the above.

John Eastwood's Bequest.

MR. JOHN EASTWOOD left by will, 1621, forty shillings per annum, to the poor of Pontefract, charged on a close in Skinner Lane, and distributed every Shrove Tuesday, by Richard Horncastle, Esq. whose house and garden, in Roper-gate, are now made chargeable.

The Park,

IN a manuscript of Mr. Astle's, giving an account of the dutchy of Lancaster, it is observed, that the chancellor, attorney-general, receiver and auditor, of the said dutchy, enjoyed the privilege, in right of their office, of having their tables well supplied with vension, summer and winter, from Pontefract Park.

Lord Rivers.

The following ballad, as it is called, composed by Earl Rivers, in Pontefract Castle, is too curious to be omitted. It will shew, among other evidences, the state of the English language in the time of Richard III. It is contained in a history of the Kings of England, by John Ross, the Warwick antiquary. He introduces it in the following terms, Dominus comes de Rivers Antonius Woodvyle . . . in tempore incarcerationis apud Pontemfractum edidit unum balet in Anglicis, ut mihi monstratum est, quod subsequitur sub hils verbis :

Sumwhat musyng and more moornyng
In remembreng the unстыdfastnes,
This world being of such whelyng
Me contrarieng, what may I gesse?
I sere dowltes remediles
Is now to sese my wofull chauce,
Lo in this traunce, now in substance,
Such is my dawnce.
Wylyng to dye me thynkys truly
Bowndyn am I, and that gretly,
To be content.
Seyng playnly that fortune doth wry
All contrary from myn entent.
My lyff was lent me to on intent,
Hy it is ny spent

Welcome fortune.

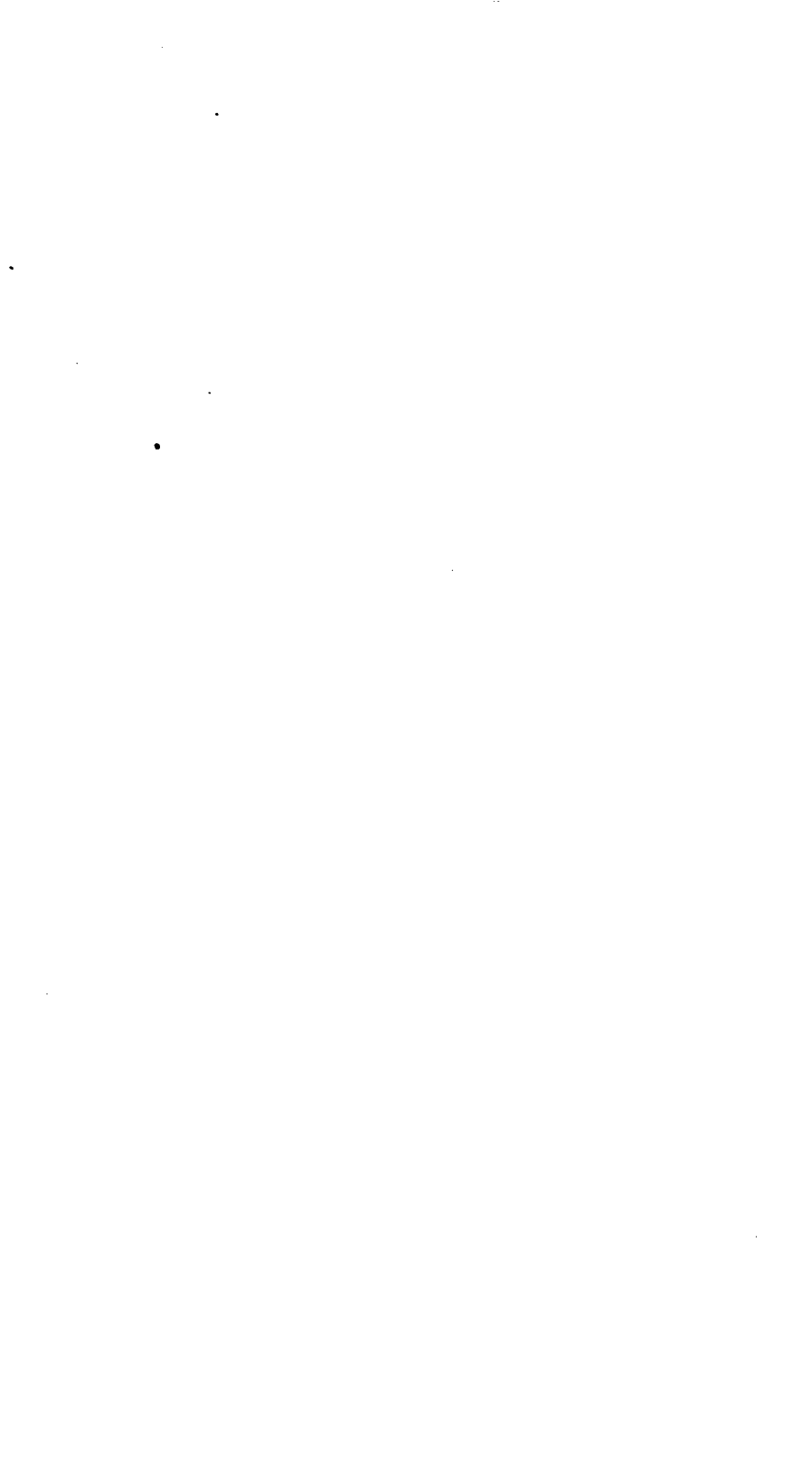
But I ne went,—Thus to be shent
But sho hit ment—Such is hur won.

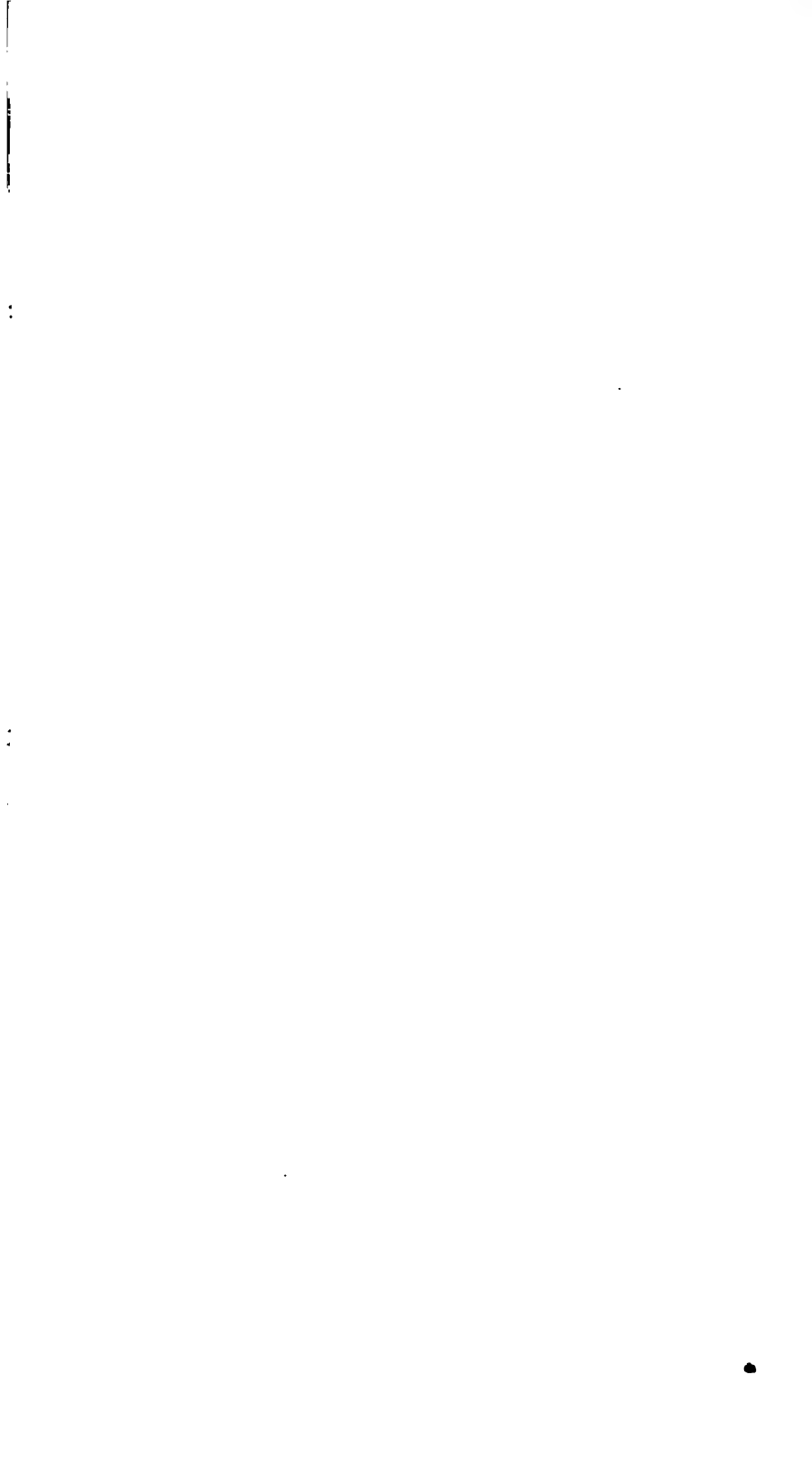
King's School.

THE Gentlemen of this town, willing to obtain for the master of this school a suitable residence, generously exerted themselves to accomplish so benevolent a design. The corporation gave the sum of two hundred and fifty pounds, and others in the town handsomely contibuting, a good spacious house and garden, adjoining the school, was purchased, and invested in seven trustees; who posses the power of admitting the said school master to enjoy the premises according to their discretions. The present trustees are J. Seaton, J. Leatham, T. Taylor, G. Perfect, R. Seaton, R. Smith, Esqrs. and the Rev. T. Heron.

Parliamentary history.—The number of burgage freeholds is about 321, of which 190 were in the possession of Lord Gallway; a few belonged to the late Sir R. Winn, Bart.; 44 to Mr. Pitt, which were sold to Mr. Walsh; and the remainder to other individuals. When members were returned on the right of burgage freeholds, it is obvious, that Lord Gallway could return whom he pleased; nor could the other freeholders make any effectual opposition to his interest.

FINIS.





APR 14 1931

